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August 24, 2020

Shonda D. Green
Department Secretary
Massachusetts Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500

electronically filed

Re: **D.T.C. 13-1**; Response of Telrite Corporation d/b/a Life Wireless to “ETC Petition Notice” and Submission of Updated Petition for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Massachusetts

Dear Ms.Green:

In response to the Department’s July 23, 2020 notice (“Pending Petitions for Eligible Telecommunications Carrier Designation”),¹ Telrite Corporation d/b/a Life Wireless (“Telrite” or the “Company”) respectfully submits this affirmative statement that it remains interested in Department review of its petition for designation as an Eligible Telecommunications Carrier (“ETC”) in Massachusetts.

Telrite’s original petition for designation, filed in 2013, was subsequently stayed at the Company’s request and remains pending in the above-referenced docket. Recognizing the passage of time, intervening changes to the federal Lifeline program and the enhanced strength of Telrite’s qualifications as a prospective ETC, the Company submits the enclosed updated petition. The filing fee for this submission is being delivered via overnight courier.

Please contact Telrite’s undersigned counsel with any questions regarding this filing.

¹ Notice from Sean Carroll, General Counsel, Commonwealth of Massachusetts Department of Telecommunications and Cable (Jul. 23, 2020).

KELLEY DRYE & WARREN LLP

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Sincerely,

/s/ John J. Heitmann

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Enclosure

**BEFORE THE
MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

Telrite Corporation d/b/a Life Wireless)	
Petition for Designation as an)	D.T.C. 13-1
Eligible Telecommunications Carrier)	
in the Commonwealth of Massachusetts)	

**PETITION OF TELRITE CORPORATION D/B/A LIFE WIRELESS
FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER
IN THE COMMONWEALTH OF MASSACHUSETTS**

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August 24, 2020

**BEFORE THE
MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

Telrite Corporation d/b/a Life Wireless)	
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**PETITION OF TELRITE CORPORATION D/B/A LIFE WIRELESS
FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER
IN THE COMMONWEALTH OF MASSACHUSETTS**

Telrite Corporation d/b/a Life Wireless (“Telrite” or the “Company”), by its undersigned counsel, and pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”),¹ sections 54.101 through 54.207 of the rules of the Federal Communications Commission (“FCC”),² and the rules and regulations of the Massachusetts Department of Telecommunications and Cable (“Department”), including the Department’s Lifeline Requirements,³ hereby requests designation as an eligible telecommunications carrier (“ETC”) in the Commonwealth of Massachusetts for the limited purpose of receiving federal universal service support to provide wireless services to low-income Massachusetts households as part of the Lifeline program.⁴

¹ 47 U.S.C. § 214(e)(2).

² 47 C.F.R. §§ 54.101-54.207.

³ A summary is available at <https://www.mass.gov/how-to/filing-requirements-for-eligible-telecommunications-carriers-etcs-providing-lifeline-service> (“Department Lifeline Requirements”). See also, *Investigation by the Department on its Own Motion into the Implementation in Massachusetts of the Federal Communications Commission’s Order Reforming the Lifeline Program*, D.T.C. 13-4, Order Implementing Requirements and Further Request for Comment (Aug. 1, 2014).

⁴ Telrite applied to the Department for designation as a wireless ETC in 2013 (D.T.C. 13-1). The proceeding was subsequently stayed at the Company’s request. The Company requests that the Department move forward in this docket and accept this application as a replacement for the pending application. See *Notice re Pending Petitions for Eligible Telecommunications Carrier Designation*, Sean Carroll, Gen. Counsel, Department of Telecommunications and Cable (Jul. 23, 2020) (requiring companies with pending ETC petitions filed prior to January 2019 to file an affirmative statement of interest in Department review of same).

Telrite does not request ETC designation for the purpose of receiving support from any other Universal Service Fund (“USF”) programs, including high-cost support or Tribal Link-Up.

As demonstrated by the facts stated herein, and as verified in **Exhibit A**, Telrite meets all the statutory and regulatory requirements for designation as an ETC in the Commonwealth of Massachusetts, including the requirements for ETCs participating in the Lifeline program as outlined in the various FCC Lifeline Orders.⁵

Granting ETC status to Telrite will benefit the public interest by making the Company’s services available to a broad range of low-income consumers. Telrite is an established provider of wireline long distance as well as resold wireless telecommunications. In addition, Telrite has demonstrated, since it began wireless Lifeline operations in 2010, its ability to successfully provide high-quality Lifeline services to low-income consumers in its existing ETC-designated service areas in other jurisdictions. Accordingly, the Company respectfully requests that the Department expeditiously grant this Petition.

All correspondence, communications, pleadings, notices, orders and decisions relating to this Petition should be addressed to:

⁵ See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (rel. Feb. 6, 2012) (“*2012 Lifeline Reform Order*”); *Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, Connect America Fund*, WC Docket Nos. 11-42, 09-197, 10-90, Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order, FCC 15-71 (rel. June 22, 2015) (“*2015 Lifeline Reform Order*”); *Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, Connect America Fund*, WC Docket Nos. 11-42, 09-197, 10-90, Third Report and Order, Further Report and Order, and Order on Reconsideration, FCC 16-38 (rel. April 27, 2016) (“*2016 Lifeline Modernization Order*”); *Bridging the Digital Divide for Low-Income Consumers, Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support*, WC Docket Nos. 17-287, 11-42, 09-197, Order on Reconsideration, Memorandum Opinion and Order, FCC 17-155 (rel. Dec. 1, 2017) (“*2017 Lifeline Order*”).

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I. COMPANY OVERVIEW

Telrite is a Georgia corporation with its principal offices located at 4113 Monticello Street, Covington, Georgia 30014. Documentation of Telrite's authority to transact business in Massachusetts as a foreign corporation is included as **Exhibit B**.

Telrite is an established provider of both wireline and wireless telecommunications services. The Company has operated as a wireline provider for twenty years. In Massachusetts, Telrite is registered with the Department to provide wireline telecommunications services. In October 2010, Telrite began offering wireless Lifeline services. For its Lifeline services, Telrite operates as a reseller and uses the networks of its underlying service providers, T-Mobile and AT&T Mobility, to provide service to its subscribers

Telrite is currently designated as a wireless ETC in the following jurisdictions: Arizona, Arkansas, California, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Missouri, Nebraska, Nevada, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, Vermont, Washington, Wisconsin, West Virginia, Puerto Rico, and the United States Virgin Islands.

As described herein, Telrite meets the requirements for ETC designation. Additionally, designation of Telrite as an ETC in Massachusetts serves the public interest. Telrite therefore

requests that the Department designate the Company as an ETC throughout its proposed service area for the purposes of providing basic Lifeline services.

II. THE DEPARTMENT HAS THE AUTHORITY TO DESIGNATE WIRELESS ETCs FOR THE LIFELINE PROGRAM

Section 214(e)(2) of the Act provides state public utility commissions with the “primary responsibility” for the designation of ETCs.⁶ Under the Act, a state public utility commission with jurisdictional authority over ETC designations may, in the case of an area served by a rural telephone company – and shall, in the case of all other areas – designate a common carrier as an ETC if the carrier satisfies the requirements of Section 214(e)(1) which states:

A common carrier designated as an eligible telecommunications carrier... shall be eligible to receive universal service support in accordance with section 254 and shall, throughout the service area for which the designation is received –

(A) offer the services that are supported by the Federal universal service support mechanism under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier’s services (including the service offered by another eligible telecommunications carrier); and

(B) advertise the availability of such services and the charges therefore using media of general distribution.⁷

Section 214(e)(1)(A) of the Act provides that an ETC must provide services “using its own facilities or a combination of its own facilities and resale of another carrier’s services.”⁸ However, pursuant to the FCC’s *2012 Lifeline Reform Order*,⁹ resellers have been granted blanket forbearance from this facilities requirement in connection with limited ETC designation to

⁶ 47 U.S.C. § 214(e)(2). Section 214(e)(6) provides for FCC designation of ETCs, but only in the case of a common carrier “*that is not subject to the jurisdiction of a State commission...*” (emphasis added). The Department has clearly demonstrated its readiness and jurisdiction to designate wireless carriers as ETCs.

⁷ 47 U.S.C. § 214(e)(1) (reflected in section 54.201(d) of the FCC’s rules).

⁸ 47 U.S.C. § 214(e)(1)(A).

⁹ *2012 Lifeline Reform Order*, ¶ 368

participate in the Lifeline program, subject to conditions. The FCC conditioned blanket forbearance on the reseller's compliance with certain ETC obligations, including providing 911 and E911 service regardless of activation status and minutes available, providing E911-compliant handsets, and replacing E911 non-compliant handsets at no charge to the Lifeline customer.¹⁰ In addition, the reseller must adhere to an FCC-approved compliance plan that includes specific information about the measures that the reseller will take to implement the obligations established in the *2012 Lifeline Reform Order*.¹¹ Telrite operates as a wireless reseller and commits to compliance with all of the conditions for ETC designation and forbearance from the facilities requirement. Therefore, the Department has full and sufficient authority pursuant to federal law to designate Telrite as an ETC to provide service in Massachusetts under the federal Lifeline program.

Similarly, as the Department has noted in past decisions, Massachusetts law also authorizes the Department to designate carriers as ETCs in the Commonwealth.¹² Designation of Telrite as an ETC to provide wireless Lifeline services in Massachusetts will be entirely consistent with the Department's past practices as the Department has previously approved the petitions of several wireless Lifeline providers, including Assurance Wireless, StandUp Wireless and Safelink Wireless.

¹⁰ *Id.* at ¶ 373.

¹¹ *Id.* at ¶ 368.

¹² *See, e.g., Petition of Global Connection Inc. of America d/b/a STAND UP WIRELESS for Designation as an Eligible Telecommunications Carrier*, D.T.C. 11-11, Order Approving Petition (Mar. 5, 2013) (citing both §214(e)(2) and G.L.c.159, §12 as sources for Department authority).

III. TELRITE SATISFIES THE REQUIREMENTS FOR DESIGNATION AS AN ETC UNDER 47 C.F.R. § 54.201

Section 254(e) of the Act provides that “only an eligible telecommunications carrier designated under section 214(e) shall be eligible to receive specific federal universal service support.” Section 214(e)(2) of the Act provides that, upon request and consistent with the public interest, convenience and necessity, the Department may designate more than one common carrier as an ETC in areas served by a rural telephone company and shall do so with respect to all other areas, provided that the requesting carrier (i) offers services that are supported by Federal universal service support mechanisms and (ii) advertises the availability of such services.¹³ Section 214(e)(1) of the Act and Section 54.201(d) of the FCC’s rules state that applicants for ETC designation must be common carriers that offer all of the services throughout the designated service area supported by universal service, either using their own facilities or a combination of their own facilities and the resale of another carrier’s services, except where the FCC has forbore from the “own facilities” requirement. Telrite satisfies all such requirements for ETC designation.

A. Telrite Will Provide Service via Resale Consistent with the FCC’s Forbearance of the Facilities Requirement

Section 214(e)(2) of the Act requires that an ETC must provide services “using its own facilities or a combination of its own facilities and resale of another carrier’s services.”¹⁴ As discussed above in section II, although section 214 requires ETCs to provide services using their own facilities, at least in part, the FCC has granted forbearance from enforcement of the facilities requirement to carriers seeking Lifeline-only ETC designation. In the *2012 Lifeline Reform Order*, the FCC granted forbearance from the “own-facilities” requirement contained in Section

¹³ 47 U.S.C. §214(e)(2); *see also* 47 C.F.R. § 54.201(d)(2).

¹⁴ 47 U.S.C. § 214(e)(1)(A).

214(e)(1)(A) for carriers that are, or seek to become, Lifeline-only ETCs, subject to the following conditions:¹⁵

(1) the carrier must comply with certain 911 requirements [(a) providing its Lifeline subscribers with 911 and E911 access, regardless of activation status and availability of minutes; (b) providing its Lifeline subscribers with E911-compliant handsets and replacing, at no additional charge to the subscriber, noncompliant handsets of Lifeline-eligible subscribers who obtain Lifeline-supported services; and (c) complying with conditions (a) and (b) starting on the effective date of this Order]; and

(2) the carrier must file, and the Bureau must approve, a compliance plan providing specific information regarding the carrier's service offerings and outlining the measures the carrier will take to implement the obligations contained in this Order as well as further safeguards against waste, fraud and abuse the Bureau may deem necessary.

The Company intends to provide service in Massachusetts via resale of its underlying service providers, T-Mobile and AT&T Mobility. In accordance with the forbearance requirements, Telrite submitted a Compliance Plan and the FCC approved it on December 26, 2012.¹⁶ A copy of the FCC-Approved Compliance Plan is attached hereto as **Exhibit C**. Telrite seeks limited ETC designation to permit it to participate in the Lifeline program.

B. Telrite Is a Common Carrier

The FCC consistently has held that providers of wireless services are to be treated as common carriers for regulatory purposes. In addition, section 332(c)(1)(A) of the Act states that CMRS providers will be regulated as common carriers.¹⁷ Telrite provides mobile telecommunications services and, accordingly, is a common carrier.

¹⁵ See *2012 Lifeline Reform Order* at ¶¶ 368, 373, and 379.

¹⁶ See *Wireline Competition Bureau Approves the Compliance Plans of Airvoice Wireless, Amerimex Communications, Blue Jay Wireless, Millennium 2000, Nexus Communications, PlatinumTel Communications, Sage Telecom, Telrite and Telscape Communications*, Public Notice, WC Docket No. 09-197, WC Docket No. 11-42, DA 12-2063 (2012).

¹⁷ 47 U.S.C. § 332(c)(1)(A).

C. Telrite Will Provide All Supported Services by Reselling the Services of Its Underlying Providers

Through its underlying providers, Telrite is able to provide all of the supported services required by Section 54.101(a) of the FCC's Rules (47 C.F.R. § 54.101(a)) as follows:

1. Voice Telephony Service

As set forth in 47 C.F.R. § 54.101(a)(1), eligible Voice Telephony Services must provide the following:

Voice Grade Access to the Public Switched Telephone Network. The FCC describes "voice grade access" as the ability for a user to make and receive telephone calls within a specified bandwidth.¹⁸ Telrite provides voice grade access via resale of its facilities-based underlying network operators, T-Mobile and AT&T Mobility.

Local Usage At No Additional Charge. The FCC's rules require a petitioner for ETC designation to demonstrate that its proposed local usage plan is comparable to one offered by the incumbent local exchange carrier ("ILEC") in the same designated service area. The determination of comparability requires a case-by-case review, taking into account value-added capabilities and services included within a service plan. If granted ETC designation, Telrite will provide a Lifeline service package in Massachusetts as outlined in **Exhibit D**.

Access to Emergency Services. Telrite provides 911 and E911 access for all of its customers to the extent that the local government in its service area has implemented 911 or E911 systems. As noted, calls to 911 emergency services will always be free and will be available regardless of service activation status or availability of minutes. Telrite also complies with the FCC's regulations governing the deployment and availability of E911 compatible handsets.

¹⁸ See *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, First Report and Order, 12 FCC Rcd 8776, 8810-11 (1997).

Toll Limitation. In its *Lifeline Reform Order*, the FCC provided that toll limitation would no longer be deemed a supported service.²¹ “ETCs are not required to offer toll limitation service to low-income consumers if the Lifeline offering provides a set amount of minutes that do not distinguish between toll and non-toll calls.”¹⁹ Nonetheless, Telrite’s offerings inherently allow Lifeline subscribers to control their usage, as its wireless service is offered to users for free until they reach their monthly allowance at which point subscribers can choose to purchase additional service at a low cost. Telrite’s service, moreover, is not offered on a distance-sensitive basis and local and domestic long distance minutes are treated the same.

2. Broadband Internet Access Services

Broadband Internet access service (“BIAS”) is a supported service as of December 2, 2016. The FCC has stated that BIAS consists of the ability for a user to receive “the capability to transmit data to and receive data from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up Internet access service.”²⁰ Telrite provides BIAS to low-income consumers via resale of its underlying providers’ mobile broadband networks.

D. Telrite Will Advertise the Availability of Its Service and Charges in a Manner Reasonably Designed to Reach Lifeline-Eligible Consumers²¹

Telrite intends to advertise its Lifeline services using media such as the Internet, social media, newspapers of general circulation, radio and television, as well as at its mobile enrollment events, as a means of reaching those consumers that are likely to qualify for Lifeline services. The Company will use these methods to advertise the availability of its services to Lifeline customers

¹⁹ See *id.* at ¶ 49.

²⁰ See 47 C.F.R. § 8.2(a).

²¹ 47 C.F.R. § 54.405(b).

and will expand its advertising efforts as necessary to ensure that Lifeline-eligible customers are aware of the service offerings.²² Telrite will ensure that all of its Lifeline advertising materials comply with section 54.405(c) of the FCC’s rules.

Specifically, Telrite’s advertising materials will state, in easily understood language, that: (i) the service is a Lifeline service; (ii) Lifeline is a government assistance program; (iii) the service may not be transferred to someone else; (iv) consumers must meet certain eligibility requirements before enrolling in the Lifeline program; (v) the Lifeline program permits only one Lifeline discount per household; (vi) that documentation is necessary for enrollment; and (vii) Telrite is the provider of the services. A sample of the Company’s current Lifeline advertising is provided as **Exhibit E**. Telrite’s advertising materials will be further updated, as necessary, in the event any of the aforementioned requirements change. In addition, Telrite’s application/certification form will state that consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.

E. Telrite’s Requested Service Area

Sections 214(e)(2) and 214(e)(5) of the Act provide that ETC designations shall be made for a “service area,” defined as a geographic area established by the Department. The Company seeks designation to operate as an ETC throughout the Commonwealth of Massachusetts, wherever its underlying facilities-based carriers provide coverage.²³ A list of the current zip codes associated with this coverage area is appended as **Exhibit F**. Telrite’s proposed service area overlaps with rural carriers in Massachusetts; however, the Company maintains that the public interest factors

²² See *id.*

²³ Consistent with FCC holdings, there is no need for a “creamskimming” analysis in connection with Telrite’s Petition because the Company is seeking ETC designation only for purposes of receiving Lifeline support. See, e.g., *Virgin Mobile USA, L.P.*, Order, 24 FCC Rcd 3381, ¶ 39 n. 101 (2009).

described below justify its designation in these carriers' service areas, especially because it seeks ETC designation solely to utilize USF funding to provide Lifeline service to qualified low-income consumers.

While federal rules, 47 U.S.C. §§ 160, 214(e)(5) and 47 C.F.R. § 54.207(b), require that an ETC's service area conform to the service area of any rural telephone company serving the same area, the FCC's *2012 Lifeline Reform Order* authorized forbearance from the service area conformance requirements with respect to carriers seeking to provide Lifeline-only service. In light of this forbearance, the Department has the authority to designate ETCs such as Telrite in rural areas without concern for the service area conformance requirement.

IV. TELRITE SATISFIES THE ADDITIONAL REQUIREMENTS FOR ETC DESIGNATION UNDER 47 CFR § 54.202(a)

The FCC imposes additional requirements on a carrier requesting ETC designation in section 54.202 of its rules. As demonstrated below, Telrite satisfies these additional obligations.

A. Service Commitment throughout the Proposed Designated Service Area

Telrite will provide service in Massachusetts by reselling service, which it obtains from its underlying carriers. These providers have extensive networks that are functional and ready to support service immediately. Thus, Telrite will be able to commence offering its Lifeline service to all locations served by its underlying carriers very soon after receiving approval from the Department. Pursuant to 47 C.F.R. § 54.202(a)(1)(ii), a common carrier seeking designation as a Lifeline-only ETC is not required to submit a five-year network improvement plan as part of its petition for designation as an ETC.

B. Telrite Has the Ability to Remain Functional in Emergency Situations

As noted above, Telrite currently utilizes the networks of two underlying providers, T-Mobile and AT&T Mobility, to provide Telrite's mobile services. The Company has access to these extensive and well established networks and facilities and believes that they are capable of managing traffic spikes that may occur during emergency situations and can reroute traffic in the event of damaged facilities. Telrite also has reason to believe that these network operators have sufficient back-up power to ensure functionality if its external power supply is unavailable.

C. Telrite Will Satisfy Applicable Consumer Protection and Service Quality Standards

Section 54.202(a)(3) of the FCC's rules states that a wireless applicant's commitment to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service ("CTIA Consumer Code") will satisfy this consumer protection and service quality requirement. Telrite fully complies with applicable consumer protection requirements²⁴ and commits to fully complying with the CTIA Consumer Code. Telrite complies with the CTIA Consumer Code to ensure it offers its subscribers the highest level of protection and quality service. Telrite's pledge to provide quality service and voluntarily to comply with this code evidences its commitment to satisfying all of the applicable consumer protection and service quality standards. For example, customers can call customer service by dialing 611 from their Telrite handset and no minutes will be used or decremented for the call, or they can call 1-888-543-3620 from any phone.

D. Telrite Is Financially and Technically Capable

As part of the *2012 Lifeline Reform Order*, the FCC amended its rules to require a carrier seeking designation as a Lifeline-only ETC to demonstrate that it is financially and technically

²⁴ See, e.g., Department Lifeline Requirements.

capable of providing the supported Lifeline service in compliance with all of the low-income program rules.²⁵ Telrite fully satisfies these criteria. The Company has provided general communications services successfully for more than two decades and has access to sufficient funds to run its business. Significantly, Telrite's business is not solely dependent on reimbursements from the federal USF as Telrite generates non-Lifeline revenues from Telrite's affiliated companies, Pure Talk Holdings, LLC and Locus Telecommunications, LLC, which do business as PureTalkUSA and h2o® Wireless. Attached as **Exhibit G** is a current list of the Company's officers and key management, along with biographical information for each, showing that the Company's management has the expertise necessary to provide the services detailed herein.

E. Telrite's Proposed Lifeline Offering

Telrite has the ability to provide all services supported by the universal service program throughout the Commonwealth of Massachusetts. Under its ETC designation, Telrite will meet or exceed the FCC's minimum service standards, as currently established as well as any future updates. Telrite proposes initially to offer the following Lifeline offerings in Massachusetts (as shown in **Exhibit D**) under its Life Wireless dba:

Massachusetts Plan: 1000 voice minutes and 3 GB of data per month with unlimited texting and multimedia messaging service at **no cost** to the subscriber. This plan, free to eligible consumers, includes a smartphone. The plan also includes the following custom calling features: Caller ID, Call Waiting, Call Forwarding, 3-Way Calling; and Voicemail.²⁶

²⁵ See 2012 Lifeline Reform Order, ¶ 387; see also 47 C.F.R. § 202(a)(4).

²⁶ Telrite's proposed Lifeline plan for Massachusetts consumers is entirely competitive with the plans currently being offered (or proposed) in Massachusetts and elsewhere.

Life Wireless subscribers can add to this market-leading plan any month they choose by selecting additional service, currently offered as follows: a 500 MB Data PIN for \$9.95, 60 additional minutes for \$5.00, 130 additional minutes for \$10.00, one day of unlimited minutes for \$4.95, three days of unlimited minutes for \$7.95, one week of unlimited minutes for \$12.95, two weeks of unlimited minutes \$19.95, and one month of unlimited minutes \$29.95. These additional services can be purchased on the www.lifewireless.com website, from Life Wireless Customer Service or at any MoneyGram location.

F. Telrite's Processes Comply with Lifeline Verification and Enrollment Processes, and the Company Is Committed to Preventing Waste, Fraud, and Abuse of the Lifeline Program

Section 54.410 of the FCC's Rules requires ETCs to certify and verify a Lifeline customer's initial and continued eligibility. Telrite has processes in place to facilitate compliance with federal customer enrollment requirements through use of the National Verifier and the National Lifeline Accountability Database ("NLAD"), each of which is administered by Universal Service Administrative Company ("USAC"). Telrite is connected to both the National Verifier and the NLAD via application programming interfaces ("APIs"), allowing it to help applicants through the standard application form, eligibility verification, duplicate detection, identity verification and address verification, and related resolution processes included within USAC's systems and processes. Telrite thus complies with the disclosure, information collection and certification requirements set forth in Section 54.410(d) of the FCC's rules. For applicants verified as being eligible by USAC's National Verifier and NLAD, Telrite completes enrollment by transmitting the required information into NLAD as required by Section 54.404(b)(6), by informing the customer of his or her need to use the service at least once every thirty (30) days as

required by the *2012 Lifeline Reform Order*²⁷ and providing notice to subscribers after 30 days of non-usage that they must use the service within 15 days or their service will be terminated as required by Section 54.405(e)(3), and by requiring the customers to activate their Lifeline service as required by Section 54.407(c)(1) by placing a call.

Telrite has additional processes in place to guard against waste, fraud and abuse, and to ensure compliance with FCC rules designed to achieve that objective, including customer usage, cure period, and de-enrollment requirements set forth in Sections 54.407(c)(2) and Section 54.405(e)(3), general notice and de-enrollment requirements set forth in Section 54.405(e)(1), transmission of information to NLAD and recordkeeping requirements set forth in Section 54.404(b)(6) and Section 54.417, annual certification and reporting requirements set forth in Sections 54.416 and 54.420, and reimbursement claims processes established by USAC consistent with Sections 54.403 and 54.407(a). Telrite also coordinates with USAC's National Verifier and NLAD systems to manage additional de-enrollments related to USAC-administered benefit transfers and annual recertification as required by Sections 54.303 and 54.405. If Telrite receives a request for de-enrollment from a subscriber, it will process the request within two business days in accordance with Section 54.405(e)(5). Consistent with Section 54.406(a), Telrite will require its enrollment representatives to register with USAC before providing information directly to the NLAD or National Verifier, and pursuant to Section 54.406(b), Telrite will not pay an enrollment representative or his or her direct supervisor based on the number of consumers who apply for or are enrolled in the Lifeline program with Telrite. Finally, Telrite has long been at the forefront of developing and deploying internal controls to guard against waste, fraud and abuse. It remains

²⁷ See *2012 Lifeline Reform Order*, ¶ 257.

committed to be a good steward of, and partner in, the Lifeline program through continued vigilance against waste, fraud and abuse.

V. Telrite Will Comply with All Regulations Adopted by the Department

Telrite hereby asserts its willingness and ability to comply with all rules and regulations that the Department chooses to impose lawfully upon the Company's provision of service contemplated by this Petition. Within sixty (60) days following grant of this petition and prior to offering Lifeline services in Massachusetts, Telrite will submit to the Department:

- A copy of the Company's Lifeline application form to be used for Massachusetts consumers;
- Copies of all advertising and marketing materials that Telrite plans to use in Massachusetts, including but not limited to print, audio, video, Internet (including e-mail, web, and social networking media), and outdoor signage;
- The Company's rates, terms, and conditions of its Lifeline service offering(s) in Massachusetts;
- Contact information for Telrite's customer service designee; and
- The Company's proposed method(s) and timing of annual recertifications and a sample recertification notice.

As noted above, Telrite will fully comply with the consumer safeguards identified by the Department, including the clear posting of Consumer Division contact information,²⁸ coordination with the Department to address any Lifeline-related disputes and maintaining of current eligibility information in the Company's Massachusetts Lifeline application. Should Telrite ever determine

²⁸ The Company understands that the specific requirements for contact information posting are under review. *See, e.g., Investigation by the Department on its Own Motion into the Implementation in Massachusetts of the Federal Communications Commission's Order Reforming the Lifeline Program*, D.T.C. 13-4, Provisional Order and Further Request for Comment (Nov. 15, 2019) (adopting a limited provisional waiver of the requirement to include Consumer Division contact information on Lifeline applications insofar as application is made online through the National Verifier).

to discontinue provision of Lifeline services in Massachusetts, the Company will provide subscribers and the Department with at least sixty (60) days' advance notice and will coordinate with all parties to make the transition as seamless as possible.

Telrite will timely submit the reporting required by the Department on March 1 and July 1 each year, including copies of FCC Forms 555 and 481.²⁹ As a wireless reseller, Telrite's March 1 reports will include certifications both that the Company provides its subscribers with 911 and E911 access and that the Company has paid all applicable Massachusetts 911 fees for the previous year. The Company will submit the prescribed 30-day notices and 5-day notices, as applicable, when any of the triggering events occur.³⁰

Telrite certifies that all federal universal service funding received will be used for Lifeline support and will be used for the direct benefit of eligible low-income consumers. The Company is in good standing with the Department and is in full compliance with all applicable Department orders, rules, and regulations.

VI. THE PUBLIC INTEREST WILL BENEFIT FROM GRANTING ETC STATUS TO TELRITE

The overarching purpose of the Lifeline program is to ensure that low-income consumers have access to and can afford essential voice and broadband communications services. The Lifeline program began with a focus upon the availability of voice services; however, as technology has expanded and broadband has become increasingly essential to everyday living, the Lifeline program has developed as well. Today, robust levels of broadband service must be offered to eligible subscribers, as a means of effectively bridging the "Digital Divide" that separates

²⁹ See Department Lifeline Requirements.

³⁰ *Id.*

Massachusetts residents on the basis of income. As regulators and policymakers have recognized since the establishment of the Lifeline program, meeting an evolving set of essential communications needs is overwhelmingly in the public interest and, indeed, is critical to the long-term health and prosperity of each state and to the nation as a whole. Designation of experienced ETCs such as Telrite will directly advance the goals of the Lifeline program in Massachusetts.

Advantages of Telrite's Lifeline Services

Telrite's experience and longevity as a provider of Lifeline services in many states demonstrates the Company's commitment and ability to provide quality Lifeline services to eligible, low-income consumers in compliance with program requirements. Authorizing Telrite as a Lifeline ETC in the Commonwealth of Massachusetts will enable the Company to provide eligible low-income consumers with access to high quality mobile voice, text and data services. This will increase those consumers' choices in service providers and service options and make essential communications services more affordable and accessible to these consumers. Importantly, it will also lead to additional competition within the Lifeline market that should help improve the rate of program participation by eligible subscribers and spur other ETCs to improve their own Lifeline service offerings. Telrite's combined use of online and in-person, real-time distribution methods rely upon Internet-enabled compliance checks that, while meeting (and often exceeding) Lifeline program requirements, have enabled the Company to bring Lifeline service to those eligible consumers that are not easily reached by carriers relying exclusively on one distribution method or another. In particular, the Company's online enrollment capabilities are likely to play an important role in reaching eligible subscribers during the Coronavirus (COVID-19) pandemic, which is ongoing as of the date of this filing.

As the Department, other regulators and industry participants know well, mobile services are overwhelmingly preferred by Lifeline-eligible consumers who can often afford only a single connection, may frequently change residences or places of employment, may need the ability to communicate promptly and effectively with prospective employers, and also must manage households and family responsibilities as they do so. Some of these consumers may be homeless, with their Lifeline service being the only reliable contact point they have. For all these consumers, whatever their circumstances, Lifeline services also ensure that they always have the ability to contact 911 emergency services should the need arise. “Free” minutes, texts and data are an invaluable resource for cash-strapped consumers in these circumstances.

Telrite’s Lifeline service plan is an attractive option for low-income consumers because the Company’s plans are highly competitive. Telrite’s proposed initial Massachusetts Lifeline plan includes 1,000 talk minutes, unlimited texts, 3 GB of data, several of the most popular features and a smartphone, all free of charge. In addition, the Company provides additional consumer-friendly options that enable customers to flexibly tailor their wireless services to their variable needs and budgets. This empowers consumers to choose to purchase more of what they need, when they want (and can afford it).

Moreover, Telrite’s Lifeline plans alleviate customer concerns regarding deposits, hidden costs, varying monthly charges (including the infamous “bill shock”) and long-term contract issues. Telrite does not impose credit checks, and as such provides an alternative for those low-income consumers unable to obtain credit as is required for post-paid services provided by traditional carriers. Through MoneyGram, Telrite’s Lifeline subscribers have nationwide retail store access to purchase more minutes or data. This flexibility and accessibility provides a viable option for “unbanked” and “underbanked” consumers.

Low-income consumers in Massachusetts and throughout the nation have long been faced with making difficult choices about how to allocate and spend their limited resources. Today, these consumers are more challenged than ever before. Their previously limited resources are now being stressed to the point of evisceration. Food, shelter and healthcare are easily recognized as essential, but so too is access to voice and broadband communications. Consequently, the ability for these consumers to meet their communications needs, while at the same time controlling the associated costs, is critical. Telrite's Lifeline offering is designed with low-income consumers in mind, and thus, the Company's designation as an ETC in the Commonwealth will help struggling Massachusetts residents to manage the employment, educational and health challenges that are all too frequent. In the current COVID-19 reality, and amidst the unknown conditions to follow, the communications access provided to low-income consumers by ETCs such as Telrite may literally determine whether some of these consumers survive.

Benefits of Competitive Choice

The FCC recognized the interrelationship of ETC designations and competition over a decade ago, concluding that in non-rural areas, designation of multiple ETCs, following demonstration of compliance with eligibility requirements, was so fundamentally beneficial as to warrant characterization as "consistent *per se* with the public interest."³¹ Similarly, the correlation between increased market choice and lowering of costs, when dealing with competitive services, has been adopted as a "given" by telecommunications industry regulators across the country. In the Lifeline context, this equation takes on new importance, because the entry of additional

³¹ *Federal-State Joint Board on Universal Service Cellco Partnership d/b/a Bell Atlantic Mobile (Petition for Designation as an Eligible Telecommunications Carrier)*, Memorandum, Opinion and Order, 16 FCC RCD. 39, at para. 14 (rel. Dec. 26, 2000).

providers increases competitive choice for lower-income customers who often are less desirable to providers focused on upscale consumer offerings.

Impact on the Universal Service Fund

In the past, the FCC also recognized that, in contrast to the historic designation of carriers to receive high cost funds, the designation of Lifeline ETCs should not have an adverse effect upon the health of the USF. The Lifeline benefit is provided to each eligible customer that enrolls, albeit channeled through the ETCs via reimbursements, and as a result, the USF is unaffected by whether Telrite or another ETC serves that customer. Moreover, with strict compliance to the FCC's rules concerning prevention of waste, fraud and abuse of the USF, there is greater certainty that no customers served by Telrite or other ETCs are ineligible or are receiving duplicative benefits. It would be ingenuous, however, to claim that designation of a Lifeline ETC at this time will not have any effect upon the USF. As the Department knows and ETCs fully recognize, there are still many – indeed the majority of – eligible consumers not receiving Lifeline benefits. This is why ETC applicants highlight their ability to reach those consumers. And, today, as the Coronavirus devastates the financial stability of millions of additional Americans, it is inevitable that the numbers of eligible recipients will increase correspondingly, at least for the near term. The presence of more Lifeline ETCs, with increasingly sophisticated ways to reach previously unserved eligible consumers, will help to increase the overall numbers of consumers receiving Lifeline benefits. And that inevitably will increase the demands upon the USF. But this result does not reflect a failure of the process or recommend against designating new ETCs. Quite the contrary. Ensuring the availability of critical communications to Americans in desperate need is precisely why the USF was established. And it has never been more necessary. Any increase in

funding demands upon the USF will be directly proportionate to the escalated imperative for the USF to fulfill its function.

VII. CONCLUSION

For the reasons outlined above, designation of Telrite as an ETC in the Commonwealth of Massachusetts fully satisfies the requirements of Section 214(e)(2) of the Act and is in the public interest.

WHEREFORE, Telrite respectfully requests that the Department promptly designate Telrite as an ETC in the Commonwealth of Massachusetts, throughout the requested service area, solely for purposes of participating in the Lifeline program to receive federal support and reimbursement for the provision of communications services on a wireless basis to qualified low-income Massachusetts consumers.

Respectfully submitted,

/s/John J. Heitmann

John J. Heitmann
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Attorneys for Telrite Corporation d/b/a Life Wireless

August 24, 2020

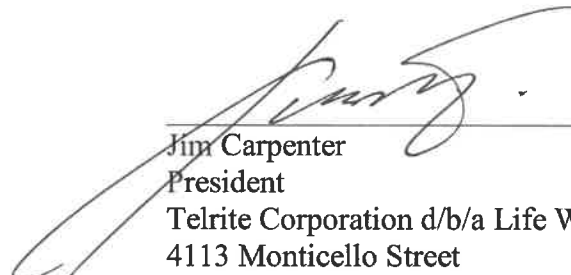
Exhibits

- A** Verification
- B** Evidence of Authority to Transact Business in Massachusetts
- C** Federal Communications Commission Compliance Plan
and Public Notice of Approval
- D** Proposed Massachusetts Lifeline Service Offering
- E** Sample Lifeline Advertising
- F** Proposed Service Area (List of Zip Codes)
- G** Officers and Key Management

Verification

STATE OF GEORGIA §
 §
COUNTY OF NEWTON §

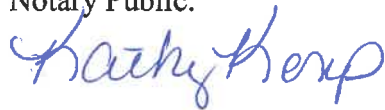
I, Jim Carpenter, state that I am the President of Telrite Corporation d/b/a Life Wireless ("Telrite"); that I am authorized to make this Verification on behalf of Telrite; that I have read the foregoing document; and that the statements in the foregoing document with respect to Telrite are true, accurate and correct to the best of my knowledge, information and belief. I declare under penalty of perjury that the foregoing is true and correct.



Jim Carpenter
President
Telrite Corporation d/b/a Life Wireless
4113 Monticello Street
Covington, Georgia 30014

Subscribed and sworn to before me this 21th day of August, 2020.

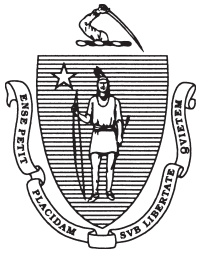
Notary Public:



My Commission expires: 3/18/2022



Evidence of Authority to Transact Business in Massachusetts



The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

William Francis Galvin
Secretary of the
Commonwealth

Date: August 12, 2020

To Whom It May Concern :

I hereby certify that according to the records of this office,

TELRITE CORPORATION

a corporation organized under the laws of

GEORGIA

on **February 01, 2000** was qualified to do business in this Commonwealth on

April 17, 2003 under the provisions of the General Laws, and I further certify that said

corporation is still qualified to do business in this Commonwealth.

I also certify that said corporation is not delinquent in the filing of any annual reports required to date.



In testimony of which,

I have hereunto affixed the

Great Seal of the Commonwealth

on the date first above written.

William Francis Galvin

Secretary of the Commonwealth

Certificate Number: 20080266860

Verify this Certificate at: <http://corp.sec.state.ma.us/CorpWeb/Certificates/Verify.aspx>

Processed by: smc

Federal Communications Commission Compliance Plan
and Public Notice of Approval

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December 19, 2012

VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Telrite Corporation Compliance Plan; WC Docket Nos. 09-197, 11-42

Dear Ms. Dortch:

On March 12, 2012, Telrite Corporation (“Telrite”) submitted its Compliance Plan outlining the measures it will take to implement the conditions imposed by the Commission in its *Lifeline Reform Order*.¹ On April 10, Telrite submitted a revised version with a minor revision to its Model Application/Certification Form, included as Exhibit A to its Compliance Plan. On April 27, July 2, July 27, November 28 and November 29 Telrite further revised and supplemented its Compliance Plan.

Telrite has further revised its Compliance Plan (p. 14) to clarify Telrite’s process for de-enrollment of customers that fail to respond to the annual eligibility verification. Nothing else in the Compliance Plan has been changed.

Telrite hereby re-submits its complete Compliance Plan with the above revision. Based on the minor nature of this change, Telrite reiterates its request for expeditious approval of its Compliance Plan.

¹ See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (Feb. 6, 2012).

KELLEY DRYE & WARREN LLP

Marlene H. Dortch, Secretary
December 19, 2012
Page Two

This letter and revised Compliance Plan are being filed electronically for inclusion in the public record of the above-referenced proceedings. Please feel free to contact the undersigned with any questions.

Respectfully submitted,



John J. Heitmann
Joshua T. Guyan

Counsel to Telrite Corporation

cc: Kim Scardino
Jonathan Lechter
Divya Shenoy
Garnet Hanly

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of	
Telecommunications Carriers Eligible to Receive Universal Service Support	WC Docket No. 09-197
Lifeline and Link Up Reform and Modernization	WC Docket No. 11-42
Telrite Corporation	

TELRITE CORPORATION COMPLIANCE PLAN

Telrite Corporation (“Telrite” or the “Company”),¹ through its undersigned counsel, hereby respectfully submits and requests expeditious approval of its Compliance Plan outlining the measures it will take to implement the conditions imposed by the Commission in its *Lifeline Reform Order*.²

¹ The Company hereby also reports its corporate and trade names, identifiers, and its holding company, operating companies and affiliates as: Telrite Corporation (corporate name), Life Wireless (trade name) and Telrite Holdings, LLC (holding company). Telrite owns 10 percent of Life Wireless Holdings, LLC, which is 50 percent owned by Puretalk Holdings, LLC. Therefore, Puretalk Holdings, LLC is not an affiliate of Telrite, however, Telrite’s “top-up” minutes are sold under the Pure Unlimited brand.

² See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report And Order and Further Notice Of Proposed Rulemaking, FCC 12-11 (Feb. 6, 2012) (“*Lifeline Reform Order*”). The Company herein submits the information required by the Compliance Plan Public Notice. See *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, WC Docket Nos. 09-197, 11-42, Public Notice, DA 12-314 (rel. Feb. 29, 2012).

The Company commends the Commission's commitment to a nationwide communications system that promotes the safety and welfare of all Americans, including Lifeline customers. Telrite will comply with 911 requirements as described below and it is submitting this Compliance Plan in order to qualify for blanket forbearance from the facilities requirement of section 214(e)(1)(A) of the Communications Act and participate as an eligible telecommunications carrier ("ETC") in the Lifeline program.³

The Company will comply fully with all conditions set forth in the *Lifeline Reform Order*, as well as with the Commission's Lifeline rules and policies more generally.⁴ This Compliance Plan describes the specific measures that the Company intends to implement to achieve these objectives. Specifically, this Compliance Plan: (1) describes the specific measures that Telrite will take to implement the obligations contained in the *Lifeline Reform Order*, including the procedures the Company follows in enrolling a subscriber in Lifeline and submitting for reimbursement for that subscriber from the Low-Income Fund, materials related to initial and ongoing certifications and sample marketing materials; and (2) provides a detailed description of how Telrite offers Lifeline services, the geographic areas in which it offers services, and a detailed description of the Company's Lifeline service plan offerings.

³ See *Lifeline Reform Order*, ¶ 368. Although the Company qualifies for and seeks to avail itself of the Commission's grant of forbearance from the facilities requirement of section 214(e)(1)(A) for purposes of the federal Lifeline program, the Company reserves the right to demonstrate to a state public utilities commission that it provides service using its own facilities in a state for purposes of state universal service funding under state program rules and requirements. Telrite will follow the requirements of the Commission's Lifeline rules and this Compliance Plan in all states in which it provides Lifeline service and receives reimbursements from the federal Low-Income Fund, including in any state where the public utilities commission determines that Telrite provides service using its own facilities for purposes of a state universal service program.

⁴ In addition, this Compliance Plan is consistent with the compliance plan filed by Global Connection Inc. of America. See Global Connection of America Inc. Compliance Plan, WC Docket Nos. 09-197, 11-42 (Apr. 30, 2012). The Global Connection compliance plan was approved on May 25, 2012. See Public Notice, DA 12-828.

ACCESS TO 911 AND E911 SERVICES⁵

Pursuant to the *Lifeline Reform Order*, forbearance is conditioned upon the Company: (1) providing its Lifeline subscribers with 911 and E911 access, regardless of activation status and availability of minutes; and (2) providing its Lifeline subscribers with E911-compliant handsets and replacing, at no additional charge to the subscriber, noncompliant handsets of Lifeline-eligible subscribers who obtain Lifeline-supported services.⁶ Telrite will comply with these conditions starting on the effective date of the *Lifeline Reform Order*.

The Company will provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service. The Commission and consumers are hereby assured that all Telrite customers will have available access to emergency calling services at the time that Lifeline service is initiated, and that such 911 and E911 access will be available from Telrite handsets, even if the account associated with the handset has no minutes remaining.

The Company's existing practices currently provide access to 911 and E911 services for all customers. Telrite uses AT&T as its underlying network provider/carrier. has direct contracts for wireless services from AT&T, as opposed to purchasing minutes through an intermediary. AT&T routes 911 calls from the Company's customers in the same manner as 911 calls from AT&T's own retail customers. To the extent that AT&T is certified in a given PSAP territory, this 911 capability will function the same for the Company. Telrite also currently enables 911 emergency calling services for all properly activated handsets regardless of whether the account associated with the handset is active or suspended. Finally, the Company transmits all 911 calls initiated from any of its handsets even if the account associated with the handset has no remaining minutes.

⁵ See Compliance Plan Public Notice at 3.

⁶ See *Lifeline Reform Order*, ¶ 373.

E911-Compliant Handsets. Telrite will ensure that all handsets used in connection with the Lifeline service offering are E911-compliant. In point of fact, the Company's phones have always been and will continue to be 911 and E911-compliant. The Company uses phones from AT&T that have been through a stringent certification process with AT&T, which ensures that the handset models used meet all 911 and E911 requirements. As a result, any existing customer that qualifies for and elects Lifeline service will already have a 911/E911-compliant handset, which will be confirmed at the time of enrollment in the Lifeline program. Any new customer that qualifies for and enrolls in the Lifeline program is assured of receiving a 911/E911-compliant handset as well, free of charge.

COMPLIANCE PLAN

I. PROCEDURES TO ENROLL A SUBSCRIBER IN LIFELINE⁷

A. Policy

Telrite complies with the uniform eligibility criteria established in new section 54.409 of the Commission's rules, as well as any additional certification and verification requirements for Lifeline eligibility in states where the Company is designated as an ETC.

Therefore, all subscribers are required to demonstrate eligibility based at least on: (1) household income at or below 135% of the Federal Poverty Guidelines for a household of that size; or (2) the household's participation in one of the federal assistance programs listed in new sections 54.409(a)(2) or 54.409(a)(3) of the Commission's rules. In addition, through the certification requirements described below, the Company will confirm that the subscriber is not already receiving a Lifeline service and no one else in the subscriber's household is subscribed to a Lifeline service.

⁷ See Compliance Plan Public Notice at 3.

B. Eligibility Determination

More than 99 percent of Telrite's customer enrollment is done in-person, as opposed to over the phone or the Internet. Event locations are scheduled using various market or industry data resources. Telrite directs a team of representatives that survey and evaluate potential event locations across its service areas. Additionally, Telrite partners with community organizations, such as civic organizations, churches and food banks to host events in the communities it serves. Representatives are only permitted to enroll Lifeline customers within the borders of the states where Telrite is designated as an ETC. Further, to ensure that Telrite can track the location of its enrollment initiatives, all representatives conducting a Telrite enrollment event are required to electronically check in with Telrite and provide their address before the representatives can submit orders and enroll customers in Telrite's Lifeline service.

All enrollments performed in-person are completed electronically. The use of "paper forms" is prohibited, however, at all times laminated copies of the Lifeline application/certification forms are available for customers to review. Telrite's electronic process uses MiFi hotspots, laptop or net book computers, electronic signature pads and a bar code scanner to complete enrollment in real-time. The electronic order process provides Telrite the opportunity to perform several database checks in real-time during the enrollment process. Specifically, Telrite's systems validate and normalize addresses via "Melissa" data; perform an internal address duplicate check (to ensure that the prospective customer or someone at that address does not currently have Lifeline service from Telrite); perform an external duplicate check using CGM, LLC's ("CGM's") intercompany duplicate database ("IDD")⁸; and confirm the customer's

⁸ CGM's IDD enables participating ETCs to seed the database with subscriber lists, as well as to check the database against the subscriber lists of participating ETCs. Telrite is the largest ETC participating in this important self-regulatory initiative. Further

identity via Lexis Nexis (using the prospective customer's last name, date of birth and the last four digits of the customer's Social Security number). In addition, Telrite will check each applicant's government-issued photo identification for this purpose.

As discussed in further detail in Section I.F. below, all employees or representatives ("Company personnel") that conduct such in-person enrollments are trained regarding the eligibility and certification requirements in the *Lifeline Reform Order* and this Compliance Plan, including the one-per-household requirement, and told to inform potential customers of those requirements. New Company personnel undergo an initial mandatory training session where they are given training materials, a field training manual and a compliance manual, as well as shown visual examples of documents acceptable to demonstrate eligibility for the Lifeline program.

If Telrite cannot determine a prospective subscriber's eligibility for Lifeline by accessing income databases or program eligibility databases, Company personnel will review documentation establishing eligibility pursuant to the Lifeline rules.⁹ All personnel who interact with actual or prospective customers will be trained to assist Lifeline applicants in determining whether they are eligible to participate based on the federal and state-specific income-based and/or program-based criteria. These personnel will be trained to answer questions about Lifeline eligibility, and will review required documentation to determine whether it satisfies the *Lifeline Reform Order* and state-specific eligibility requirements using state-specific checklists.

demonstrating Telrite's leadership and commitment to defending the Lifeline program, Telrite also has produced three PSAs designed to educate the public about the Lifeline program. By January 2013, these PSAs will have been aired over 2,700 times collectively across the following markets: Atlanta, Baltimore, Charleston (WV), Chicago, Deluth, Little Rock, Minneapolis, New Orleans, Providence and St. Louis.

⁹ See *Lifeline Reform Order*, ¶ 100; sections 54.410(b)(1)(i)(B), 54.410(c)(1)(i)(B).

Proof of Eligibility. Company personnel will be trained on acceptable documentation required to establish income-based and program-based eligibility.¹⁰ Acceptable documentation of program eligibility includes: (1) the current or prior year's statement of benefits from a qualifying state, federal or Tribal program; (2) a notice letter of participation in a qualifying state, federal or Tribal program; (3) program participation documents (*e.g.*, the consumer's Supplemental Nutrition Assistance Program (SNAP) electronic benefit transfer card or Medicaid participation card (or copy thereof)); or (4) another official document evidencing the consumer's participation in a qualifying state, federal or Tribal program.¹¹

Acceptable documentation of income eligibility includes the prior year's state, federal, or Tribal tax return; current income statement from an employer or paycheck stub; a Social Security statement of benefits; a Veterans Administration statement of benefits; a retirement/pension statement of benefits; an Unemployment/Workmen's Compensation statement of benefits; federal or Tribal notice letter of participation in General Assistance; or a divorce decree, child support award, or other official document containing income information for at least three months time.¹²

Company personnel will examine this documentation for each Lifeline applicant, and will record the type of documentation used to satisfy the income- or program-based criteria by checking the appropriate box on the application form.¹³ In addition, Company personnel will fill in, where available, the last four digits of an account or other identifying number on the proof document, the date of the proof document and the expiration of the proof document. The

¹⁰ See *Lifeline Reform Order*, ¶ 101. See also USAC Guidance available at <http://www.usac.org/li/telecom-carriers/step06/default.aspx>.

¹¹ *Id.* and section 54.410(c)(1)(i)(B).

¹² See *Lifeline Reform Order*, ¶101; section 54.410.(b)(1)(i)(B).

¹³ See *Lifeline Reform Order*, ¶101; sections 54.410(b)(1)(iii), 54.410(c)(1)(iii).

Company will not retain a copy of this documentation, except where state rules require such retention.¹⁴ Where the Company personnel conclude that proffered documentation is insufficient to establish such eligibility, the Company will deny the associated application and inform the applicant of the reason for such rejection. In the event that Company personnel cannot ascertain whether documentation of a specific type is sufficient to establish an applicant's eligibility, the matter will be escalated to supervisory personnel at the Company's corporate offices in Covington, GA. A Telrite employee will be responsible for overseeing and finalizing every Lifeline enrollment prior to including that customer on an FCC Form 497 for reimbursement.

In addition, Telrite will not enroll customers at retail locations where Telrite does not have an agency agreement with the retailer. Further, Telrite will require an agent retailer to have any employees involved in the enrollment process go through the standard Telrite field representative training, same as it would for any other agent. By establishing agency relationships with all of its field representatives, including future retail outlets, Telrite meets the "deal directly" requirement adopted in the TracFone Forbearance Order.¹⁵

The Commission determined in the *Lifeline Reform Order* that ETCs may permit agents or representatives to review documentation of consumer program eligibility for Lifeline because "the Commission has consistently found that '[l]icensees and other Commission regulatees are responsible for the acts and omissions of their employees and independent contractors.'"¹⁶ Because Telrite is responsible for the actions of all of its employees and agents, including those enrolling customers in any Telrite owned or affiliated retail locations, and a Telrite employee

¹⁴ See *Lifeline Reform Order*, ¶101; sections 54.410(b)(1)(ii), 54.410(c)(1)(ii).

¹⁵ See Petition of TracFone Wireless, Inc. for Forbearance from 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(i), CC Docket no. 96-45, Order, FCC 05-165, ¶19 (2005).

¹⁶ *Lifeline Reform Order*, ¶ 110.

will be responsible for overseeing and finalizing every Lifeline enrollment prior to including that customer on an FCC Form 497 for reimbursement, the Company always “deals directly” with its customers to certify and verify the customer’s Lifeline eligibility.

De-Enrollment for Ineligibility. If Telrite has a reasonable basis to believe that one of its Lifeline subscribers no longer meets the eligibility criteria, the Company will notify the subscriber of impending termination in writing and in compliance with any applicable state dispute resolution procedures applicable to Lifeline termination, and give the subscriber 30 days to demonstrate continued eligibility.¹⁷ A demonstration of eligibility must comply with the annual verification procedures below and found in new rule section 54.410(f), including the submission of a certification form. If a customer contacts the Company and states that he or she is not eligible for Lifeline or wishes to de-enroll for any reason, the Company will de-enroll the customer within five business days. Customers can make this request by calling the Company's customer service number and will not be required to submit any documents.

C. Subscriber Certifications for Enrollment

The Company will implement certification policies and procedures that enable consumers to demonstrate their eligibility for Lifeline assistance to Company personnel as detailed in the *Lifeline Reform Order*, together with any additional state certification requirements.¹⁸ The Company shares the Commission’s concern about abuse of the Lifeline program and is thus committed to the safeguards stated herein, with the belief that these procedures will prevent the Company’s customers from engaging in such abuse of the program, inadvertently or intentionally. Every applicant will be required to complete an application/certification form

¹⁷ See *Lifeline Reform Order*, ¶ 143; section 54.405(e)(1).

¹⁸ *Lifeline Reform Order*, ¶ 61; section 54.410(a).

containing disclosures, and collecting certain information and certifications as discussed below.¹⁹

Applicants that seek to enroll based on income eligibility will be referred to a worksheet showing the Federal Poverty Guidelines by household size.²⁰

Applicants that do not complete the form in person will be required to return the signed application/certification form to the Company by mail, facsimile, electronic mail or other electronic transmission. In addition, Company personnel will verbally explain the certifications to consumers when they are enrolling in person or over the phone.²¹

Disclosures. The Company's application and certification forms will include the following disclosures: (1) Lifeline is a federal benefit and willfully making false statements to obtain the benefit can result in fines, imprisonment, de-enrollment or being barred from the program; (2) only one Lifeline service is available per household; (3) a household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses; (4) a household is not permitted to receive Lifeline benefits from multiple providers; (5) violation of the one-per-household limitation constitutes a violation of the Commission's rules and will result in the applicant's de-enrollment from the program; and (6) Lifeline is a non-transferable benefit and the applicant may not transfer his or her benefit to any other person.²²

Applications and certification forms will also state that: (1) the service is a Lifeline service, (2) Lifeline is a government assistance program, and (3) only eligible consumers may

¹⁹ See Model Application/Certification Form, included as Exhibit A. See Compliance Plan Public Notice at 3.

²⁰ See Income Eligibility Worksheet, included as Exhibit B.

²¹ See *Lifeline Reform Order*, ¶ 123.

²² See *id.*, ¶ 121; section 54.410(d)(1).

enroll in the program.²³

In addition, Telrite will notify the applicant that the prepaid service must be personally activated by the subscriber and the service will be deactivated and the subscriber de-enrolled if the subscriber does not use the service for 60 days.²⁴

Information Collection. The Company will also collect the following information from the applicant in the application/certification form: (1) the applicant's full name; (2) the applicant's full residential address (P.O. Box is not sufficient²⁵); (3) whether the applicant's residential address is permanent or temporary; (4) the applicant's billing address, if different from the applicant's residential address; (5) the applicant's date of birth; (6) the last four digits of the applicant's Social Security number (or the applicant's Tribal identification number, if the subscriber is a member of a Tribal nation and does not have a Social Security number); (7) if the applicant is seeking to qualify for Lifeline under the program-based criteria, the name of the qualifying assistance program from which the applicant, his or her dependents, or his or her household receives benefits; and (8) if the applicant is seeking to qualify for Lifeline under the income-based criterion, the number of individuals in his or her household.²⁶

Applicant Certification. Consistent with new rule section 54.410(d)(3), the Company will require the applicant to certify, under penalty of perjury, in writing or by electronic signature or interactive voice response recording,²⁷ the following: (1) the applicant meets the income-based or program-based eligibility criteria for receiving Lifeline; (2) the applicant will notify the

²³ See section 54.405(c).

²⁴ See *Lifeline Reform Order*, ¶ 257.

²⁵ See *id.*, ¶ 87.

²⁶ See section 54.410(d)(2).

²⁷ See *Lifeline Reform Order*, ¶¶ 168-69; section 54.419.

Company within 30 days if for any reason he or she no longer satisfies the criteria for receiving Lifeline including, as relevant, if the applicant no longer meets the income-based or program-based criteria for receiving Lifeline support, the applicant is receiving more than one Lifeline benefit, or another member of the applicant's household is receiving a Lifeline benefit; (3) if the applicant is seeking to qualify for Lifeline as an eligible resident of Tribal lands, he or she lives on Tribal lands; (4) if the applicant moves to a new address, he or she will provide that new address to the Company within 30 days; (5) if the applicant provided a temporary residential address to the Company, the applicant will be required to verify his or her temporary residential address every 90 days; (6) the applicant's household will receive only one Lifeline service and, to the best of the applicant's knowledge, the applicant's household is not already receiving a Lifeline service; (7) the information contained in the applicant's certification form is true and correct to the best of the applicant's knowledge; (8) the applicant acknowledges that providing false or fraudulent information to receive Lifeline benefits is punishable by law; and (9) the applicant acknowledges that the applicant may be required to re-certify his or her continued eligibility for Lifeline at any time, and the applicant's failure to re-certify as to the applicant's continued eligibility will result in de-enrollment and the termination of the applicant's Lifeline benefits pursuant to the de-enrollment policy included below and in the Commission's rules.

In addition, the applicant will be required to authorize the Company to access any records required to verify the applicant's statements on the application/certification form and to confirm the applicant's eligibility for the Company Lifeline credit. The applicant must also authorize the Company to release any records required for the administration of the Company Lifeline credit

program, including to USAC to be used in a Lifeline program database.²⁸

D. Annual Verification Procedures

Telrite will annually re-certify all subscribers by querying the appropriate eligibility databases or obtaining a signed certification from each subscriber consistent with the certification requirements above and new section 54.410(d) of the Commission's rules. This certification will include a confirmation that the applicant's household will receive only one Lifeline service and, to the best of the subscriber's knowledge, the subscriber's household is receiving no more than one Lifeline service.²⁹ The Company will notify each participating Lifeline customer annually that he or she must confirm his or her continued eligibility in accordance with the applicable requirements. Further, the verification materials will inform the subscriber that he or she is being contacted to re-certify his or her continuing eligibility for Lifeline and if the subscriber fails to respond, he or she will be de-enrolled in the program.³⁰

2012 Verification. Telrite will re-certify the eligibility of each of its existing subscribers as of June 1, 2012 on a rolling basis by the end of 2012 and report the results to USAC by January 31, 2013.³¹ The Company will contact its subscribers via text message to their Lifeline supported telephone, or by mail, phone, email or other Internet communication. The notice will explain the actions the customer must take to retain Lifeline benefits, when Lifeline benefits may be terminated, and how to contact the Company.

²⁸ See Section 54.404(b)(9). The application/certification form will also describe the information that will be transmitted, that the information is being transmitted to USAC to ensure the proper administration of the Lifeline program and that failure to provide consent will result in the applicant being denied the Lifeline service. *See id.*

²⁹ *See Lifeline Reform Order*, ¶ 120.

³⁰ *See id.*, ¶ 145.

³¹ *See id.*, ¶ 130.

Verification De-Enrollment. Telrite will de-enroll subscribers that do not respond to the annual verification or fail to provide the required certification.³² The Company will send a single written notice explaining that failure to respond to the re-certification request within 30 days will result in the subscriber's de-enrollment from the Lifeline program. If the subscriber does not respond within the 30 days, the Company will de-enroll the subscriber within five business days.

E. Activation and Non-Usage

Telrite will not consider a prepaid subscriber activated, and will not seek reimbursement for Lifeline for that subscriber, until the subscriber activates the Company's prepaid service by a method established by Telrite. For activation of a handset provided to a new customer at an event or "in the field", successful applicants are provided a functioning handset and instructed to dial 770-200-1000 to complete the activation process. Such calls are free of charge to the applicant. To activate a handset provided to a successful applicant by mail, upon receipt of the handset, the applicant must contact Telrite customer service at 888-543-3620 or 888-543-3640 to activate the service. The customer must verify their last name, date of birth and last four digits of their Social Security number. The customer must also verify that he or she ordered the Lifeline service. The phone is activated only after that verification process has been completed.

In addition, after service activation, the Company will provide a de-enrollment notice to subscribers that have not used their service for 60 days. After 60 days of non-use, Telrite will provide notice to the subscriber that failure to use the Lifeline service within a 30-day notice period will result in de-enrollment.³³ Subscribers can "use" the service by: (1) completing an outbound call; (2) purchasing minutes from the Company to add to the subscriber's plan; (3)

³² See *id.*, ¶ 142; section 54.54.405(e)(4).

³³ See *Lifeline Reform Order*, ¶ 257; section 54.405(e)(3).

answering an incoming call from a party other than the Company; or (4) responding to a direct contact from the Company and confirming that the subscriber wants to continue receiving the service.³⁴

If the subscriber does not respond to the notice, the subscriber will be de-enrolled and Telrite will not request further Lifeline reimbursement for the subscriber. The Company will report annually to the Commission the number of subscribers de-enrolled for non-usage by month.³⁵

F. Additional Measures to Prevent Waste, Fraud and Abuse

To supplement its verification and certification procedures, and to better ensure that customers understand the Lifeline service restrictions with respect to duplicates, the Company will implement measures and procedures to prevent duplicate Lifeline benefits being awarded to the same household. These measures entail additional emphasis in written disclosures as well as live due diligence.

In addition to checking the database when it becomes available, Company personnel will emphasize the “one Lifeline phone per household” restriction in their direct sales contacts with potential customers. Training materials include a discussion of the limitation to one Lifeline phone per household, and the need to ensure that the customer is informed of this restriction.³⁶ Telrite conducts background checks on all Company personnel interacting with existing and potential Lifeline customers and they must pass a complete onboarding process that includes a photo identification check. All such Company personnel also undergo training regarding the

³⁴ See *Lifeline Reform Order*, ¶ 261; section 54.407(c)(2).

³⁵ See *Lifeline Reform Order*, ¶ 257; section 54.405(e)(3).

³⁶ See *id.*

eligibility and certification requirements in the *Lifeline Reform Order* and this Compliance Plan. New Company personnel complete an initial mandatory three-hour training session conducted by corporate trainers that are employees of Telrite where they are given training materials, a field training manual and a compliance manual, as well as shown visual examples of documents acceptable to demonstrate eligibility for the Lifeline program. These training documents are regularly updated to reflect the requirements of the *Lifeline Reform Order* and this Compliance Plan, and they are provided to existing Company personnel. All Company personnel must have these manuals with them when conducting enrollment or other activities for Telrite. Further, Telrite holds weekly compliance updates and weekly refresher/continuing education conference calls and all Company personnel have access to a Telrite portal with a large resource section containing policies, tips and procedures for Lifeline enrollment.

Telrite also has Compliance and Field Operations teams that investigate possible waste, fraud and abuse by Company personnel or representatives and either resolve the issues or escalate them. Solutions can include additional training, deactivation of credentials, termination and possible legal action. To discover potential waste, fraud and abuse, the Compliance Department is responsible for tracking and monitoring data entry, orders and behavior of Company personnel engaging in Lifeline enrollments, as well as conducting data audits (tracking statistics on orders to look for irregularities), customer quality calls, secret shopping, no-notice field audits and photo audits (random audits requiring the representative to take a photo of the event set-up). Telrite's Compliance Department is itself subject to outside audits by CGM.

Finally, on or before May 4, 2012, all Telrite agents and representatives received a Training Bulletin and Fraud Policy, which Telrite also filed with the Commission, designed to

remind all Company personnel engaged in enrollment of Lifeline applicants regarding their obligations to explain the one-per-household restriction to Lifeline applicants.

Database. When the National Lifeline Accountability Database (“National Database”) becomes available, Telrite will comply with the requirements of new rule section 54.404. The Company will query the National Database to determine whether a prospective subscriber is currently receiving a Lifeline service from another ETC and whether anyone else living at the prospective subscriber’s residential address is currently receiving Lifeline service.³⁷

One-Per-Household. Telrite will implement the requirements of the *Lifeline Reform Order* to ensure that it provides only one Lifeline benefit per household³⁸ through the use of its application and certification forms discussed above, database checks and its marketing materials discussed below. Upon receiving an application for the Company’s Lifeline service, Telrite validates and normalizes the address provided via the MELISSA database and then the name, address, date of birth and last four digits of the Social Security number are entered into Telrite’s internal duplicate database to ensure that it does not already provide Lifeline-supported service

³⁷ See *Lifeline Reform Order*, ¶ 203. Company will also transmit to the National Database the information required for each new and existing Lifeline subscriber. See *id.*, ¶¶ 189-195; section 54.404(b)(6). Further, Company will update each subscriber’s information in the National Database within ten business days of any change, except for de-enrollment, which will be transmitted within one business day. See section 54.404(b)(8),(10).

³⁸ A “household” is any individual or group of individuals who are living together at the same address as one economic unit. A household may include related and unrelated persons. An “economic unit” consists of all adult individuals contributing to and sharing in the income and expenses of a household. An adult is any person eighteen years or older. If an adult has no or minimal income, and lives with someone who provides financial support to him/her, both people shall be considered part of the same household. Children under the age of eighteen living with their parents or guardians are considered to be part of the same household as their parents or guardians. See *Lifeline Reform Order*, ¶ 74; section 54.400(h).

to that individual or another person at the same address.³⁹ If so, and the applicant lives at an address with multiple households, the Company will require the applicant to complete and submit a written USAC document containing the following: (1) an explanation of the Commission’s one-per-household rule; (2) a check box that an applicant can mark to indicate that he or she lives at an address occupied by multiple households; (3) a space for the applicant to certify that he or she shares an address with other adults who do not contribute income to the applicant’s household and share in the household’s expenses or benefit from the applicant’s income, pursuant to the Commission’s definition; and (4) the penalty for a consumer’s failure to make the required one-per-household certification (*i.e.*, de-enrollment).⁴⁰ Further, if a subscriber provides a temporary address on his or her application/certification form collected as described above, the Company will verify with the subscriber every 90 days that the subscriber continues to rely on that address.⁴¹

In addition, Company personnel will inform each Lifeline applicant that he or she may be receiving Lifeline support under another name, and facilitate the applicant’s understanding of what constitutes “Lifeline-supported services,” and ability to determine whether he or she is already benefiting from Lifeline support, by informing the consumer that all Lifeline services may not be currently marketed under the name Lifeline. Telrite also asks each customer whether they are receiving Lifeline service from one of the other major Lifeline providers in the state (*e.g.*, SafeLink, Assurance). Further, at the time of enrollment, Telrite checks each applicant against an internal database, as well as a pooled duplicates database established by CGM.

³⁹ See *Lifeline Reform Order*, ¶ 78.

⁴⁰ See *id.* The USAC worksheet is available at <http://www.usac.org/li/tools/news/default.aspx#582>.

⁴¹ See *Lifeline Reform Order*, ¶ 89.

Finally, Telrite will continue to participate in the In-Depth Validation process with the Commission and USAC to locate and address duplicates between ETCs in various states until the national database is in place.

Marketing Materials. Within the deadline provided in the *Lifeline Reform Order*, the Company will include the following information regarding its Lifeline service on all marketing materials describing the service: (1) it is a Lifeline service, (2) Lifeline is a government assistance program, (3) the service is non-transferable, (4) only eligible consumers may enroll in the program, (5) the program is limited to one discount per household; (6) that documentation is necessary for enrollment; and (7) Telrite's name (the ETC).⁴² These statements will be included in all print, audio video and web materials (including social networking media) used to describe or enroll customers in the Company's Lifeline service offering, as well as the Company's application forms and certification forms.⁴³ This specifically includes the Company's website (www.lifewireless.com) and outdoor signage.⁴⁴ A sample of the Company's marketing materials is included as Exhibit C. In addition, the Company's application/certification form will state that consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.

G. Company Reimbursements From the Fund

To ensure that the Company does not seek reimbursement from the Fund without a subscriber's consent, Telrite will certify, as part of each reimbursement request, that it is in compliance with all of the Commission's Lifeline rules and, to the extent required, has obtained

⁴² See *Lifeline Reform Order*, ¶ 275; section 54.405(c).

⁴³ *Id.*

⁴⁴ *Id.*

valid certification and verification forms from each of the subscribers for whom it is seeking reimbursement.⁴⁵ Further, the Company will transition the submission of its FCC Forms 497 to the eighth day of each month in order to be reimbursed the same month, and inform USAC, to the extent necessary, to transition its reimbursement process to actual claims rather than projected claims over the course of more than one month.⁴⁶ In addition, the Company will keep accurate records as directed by USAC⁴⁷ and as required by new section 54.417 of the Commission's rules.

H. Annual Company Certifications

Telrite will submit an annual certification to USAC, signed by a Company officer under penalty of perjury, that the Company: (1) has policies and procedures in place to review consumers' documentation of income- and program-based eligibility and ensure that its Lifeline subscribers are eligible to receive Lifeline services;⁴⁸ (2) is in compliance with all federal Lifeline certification procedures;⁴⁹ and (3) has obtained a valid certification form for each subscriber for whom the carrier seeks Lifeline reimbursement.⁵⁰

In addition, the Company will provide the results of its annual re-certifications/verifications on an annual basis to the Commission, USAC, the applicable state commission and the relevant Tribal governments (for subscribers residing on Tribal lands).⁵¹

⁴⁵ See *Lifeline Reform Order*, ¶ 128; section 54.407(d).

⁴⁶ See *Lifeline Reform Order*, ¶¶ 302-306.

⁴⁷ See *id.*

⁴⁸ See *id.*, ¶ 126; section 54.416(a)(1).

⁴⁹ See *Lifeline Reform Order*, ¶ 127; section 54.416(a)(2).

⁵⁰ See section 54.416(a)(3).

⁵¹ See *Lifeline Reform Order*, ¶¶ 132,148; section 54.416(b).

Further, as discussed above, the Company will report annually to the Commission the number of subscribers de-enrolled for non-usage by month.⁵²

The Company will also annually report to the Commission, USAC, and relevant state commissions and the relevant authority in a U.S. territory or Tribal government as appropriate,⁵³ the company name, names of the company's holding company, operating companies and affiliates, and any branding (such as a "dba" or brand designation) as well as relevant universal service identifiers for each entity by Study Area Code.⁵⁴ The Company will report annually information regarding the terms and conditions of its Lifeline plans for voice telephony service offered specifically for low income consumers during the previous year, including the number of minutes provided and whether there are additional charges to the consumer for service, including minutes of use and/or toll calls.⁵⁵ Finally, the Company will annually provide detailed information regarding service outages in the previous year, the number of complaints received and certification of compliance with applicable service quality standards and consumer protection rules, as well as a certification that the Company is able to function in emergency situations.⁵⁶

I. Cooperation with State and Federal Regulators

The Company has cooperated and will continue to cooperate with federal and state regulators to prevent waste, fraud and abuse. More specifically, the Company will:

⁵² See *Lifeline Reform Order*, ¶ 257; section 54.405(e)(3).

⁵³ See *Lifeline Reform Order*, section 54.422(c).

⁵⁴ See *Lifeline Reform Order*, ¶¶ 296, 390; section 54.422(a).

⁵⁵ See *Lifeline Reform Order*, ¶ 390; section 54.422(b)(5).

⁵⁶ See *Lifeline Reform Order*, ¶ 389; section 54.422(b)(1)-(4).

- Make available, upon request, state-specific subscriber data, including the names and addresses of Lifeline subscribers, to USAC and to each state public utilities commission where the Company operates for the purpose of determining whether an existing Lifeline subscriber receives Lifeline service from another carrier;⁵⁷
- Assist the Commission, USAC, state commissions, and other ETCs in resolving instances of duplicative enrollment by Lifeline subscribers, including by providing to USAC and/or any state commission, upon request, the necessary information to detect and resolve duplicative Lifeline claims;
- Promptly investigate any notification that it receives from the Commission, USAC, or a state commission to the effect that one of its customers already receives Lifeline services from another carrier; and
- Immediately de-enroll any subscriber whom the Company has a reasonable basis to believe⁵⁸ is receiving Lifeline-supported service from another ETC or is no longer eligible – whether or not such information is provided by the Commission, USAC, or a state commission.

II. Description of Lifeline Service Offerings⁵⁹

Telrite will offer its Lifeline service in the states where it is designated as an ETC⁶⁰ and throughout the coverage area of its underlying provider AT&T. The Company's Lifeline offering in each state where the Company has been designated as an ETC provides customers with their choice of 125 or 250 anytime prepaid minutes per month at no charge. Minutes do not expire for the 125 minute plan and unused minutes are rolled over to the next month. Unused minutes for the 250 minute plan do not roll over. Text messaging is available at the rate of:

- 125 Minute Plan: 1/3 minute (*i.e.*, 3 SMS texts per voice minute)
- 250 Minute Plan 1/3 minute (*i.e.*, 3 SMS texts per voice minute)

⁵⁷ The Company anticipates that the need to provide such information will sunset following the implementation of the national duplicates database.

⁵⁸ See section 54.405(e)(1).

⁵⁹ See Compliance Plan Public Notice at 3.

⁶⁰ The Company is currently designated as an ETC in Arkansas, Illinois, Louisiana, West Virginia, Rhode Island, Puerto Rico, Missouri, Maryland, Georgia & Minnesota.

Lifeline customers can purchase additional bundles of minutes in denominations of \$10.00, \$25.00, \$4.95, \$7.95, \$12.95, \$21.49 and \$29.95.⁶¹ Airtime, when used for standard cellular calls, is valued at and will be decremented at the following rates:

- 1) \$10.00 denomination - \$0.099 per minute of use;
- 2) \$25.00 denomination - \$0.0708 per minute of use;
- 3) \$4.95 denomination – 1 day Unlimited Talk and SMS;
- 4) \$7.95 denomination - 3 day Unlimited Talk and SMS;
- 5) \$12.95 denomination - 1 week Unlimited Talk and SMS;
- 6) \$21.95 denomination – 2 weeks Unlimited Talk and SMS;
- 7) \$29.95 denomination – 1 month Unlimited Talk and SMS;

Airtime “top-up” minutes are available for purchase at the Company’s retail locations, through any Money Gram location and on the Company’s website.⁶² Additional information regarding the Company’s plans, rates and services can be found on its website: www.lifewireless.com.

In addition to free voice services, Telrite’s Lifeline plan will include a free handset and custom calling features at no charge, including Caller ID, Call Waiting, Call Forwarding, 3-Way Calling, Voice Mail, No Roaming charges and free access to Customer Care by dialing 611 from customers’ Life Wireless handset or by dialing 1-888-543-3620 from any wireline phone. All plans include domestic long-distance at no extra per minute charge. Calls to 911 emergency services are always free, regardless of service activation or availability of minutes.

⁶¹ The \$29.95 rate for unlimited talk and text is available only to Life Wireless customers that purchase online or by calling Telrite customer service. The retail rate available in stores is \$42.95, which is set to be reduced to a yet undetermined rate.

⁶² Top-up minutes are provided using the PureTalk USA and Pure Unlimited brands, by Puretalk Holdings, LLC, a sister company of Telrite with common ownership, though not technically an affiliate.

III. **Demonstration of Financial and Technical Capabilities and Certifications Required for ETC Designation**⁶³

Financial and Technical Capabilities. Revised Commission rule 54.202(a)(4), 47 C.F.R. 54.202(a)(4), requires carriers petitioning for ETC designation to demonstrate financial and technical capability to comply with the Commission's Lifeline service requirements.⁶⁴ The Compliance Plan Public Notice requires that carriers' compliance plan include this demonstration. Among the factors the Commission will consider are: a carrier's prior offering of service to non-Lifeline subscribers, the length of time the carrier has been in business, whether the carrier relies exclusively on Lifeline reimbursement to operate, whether the carrier receives revenues from other sources and whether the carrier has been the subject of an enforcement action or ETC revocation proceeding.

Telrite has been offering Lifeline service to customers since October, 2010. Telrite also offers several other telecommunication services in addition to its Lifeline service. In 2011, the wireline services offered by Telrite produced substantial net income. This revenue was generated from more than 30,000 customers of Telrite's local and long distance service, which Telrite has been providing for over 10 years. In sum, Telrite has access to sufficient funds to run its business and is not solely dependent on reimbursements from the Fund. Telrite recently entered into a consent decree with the Enforcement Bureau relating to an investigation begun in 2004.⁶⁵ The Company has not been subject to enforcement sanctions or ETC revocation proceedings in any state.

⁶³ See Compliance Plan Public Notice at 3.

⁶⁴ See *Lifeline Reform Order*, ¶¶ 387-388 (revising Commission rule 54.202(a)(4)).

⁶⁵ See Telrite Corporation, File No. EB-05-1H-2348, Order and Consent Decree, DA 12-612 (rel. Apr. 18, 2012).

Service Requirements Applicable to the Company's Support. The Compliance Plan Public Notice requires carriers to include "certifications required under newly amended section 54.202 of the Commission's rules."⁶⁶ Telrite certifies that it will comply with the service requirements applicable to the support the Company receives.⁶⁷ Telrite provides all of the telecommunications service supported by the Lifeline program and will make the services available to all qualified consumers throughout the states in which it is designated as an ETC. The Company's services include voice telephony services that provide voice grade access to the public switched network or its functional equivalent. Further, the Company's service offerings provide its customers with minutes of use for local service at no charge to the customer. The Company will offer a set number of minutes of local exchange service free of charge to its subscribers. Telrite's current Lifeline offerings include packages in Section II *supra* that can be used for local and domestic toll service.

The Company also will provide access to emergency services provided by local government or public safety officials, including 911 and E911 where available and will comply with any Commission requirements regarding E911-compatible handsets. As discussed above, the Company will comply with the Commission's forbearance grant conditions relating to the provision of 911 and E911 services and handsets.

Finally, Telrite will not provide toll limitation service ("TLS"), which allows low income consumers to avoid unexpected toll charges. However, since the Company is a prepaid service provider, customers cannot be disconnected for failure to pay toll charges, nor are there additional charges for exceeding their minutes. Further, the Company, like most wireless carriers, does not differentiate domestic long distance toll usage from local usage and all usage is

⁶⁶ Compliance Plan Public Notice at 3.

⁶⁷ 47 C.F.R. § 54.202(a)(1).

paid for in advance. Pursuant to the *Lifeline Reform Order*, subscribers to such services are not considered to have voluntarily elected to receive TLS.⁶⁸

IV. Conclusion

Telrite submits that its Compliance Plan fully satisfies the conditions set forth in the Commission's *Lifeline Reform Order*, the Compliance Plan Public Notice and the Lifeline rules. Accordingly, the Company respectfully requests that the Commission expeditiously approve its Compliance Plan.

Respectfully submitted,



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Counsel to Telrite Corporation

December 19, 2012

⁶⁸ See *Lifeline Reform Order*, ¶ 230.

EXHIBIT A



Life Wireless

C-30

Georgia Wireless Lifeline Service Application and Certification

Mail or Fax completed and signed form to

Telrite Corporation / Life Wireless

PO Box 2840 Covington, GA 30015

FAX: 1-866-770-6110 / EMAIL: lwforms@lifewireless.com

A complete and signed Lifeline Service Application and Certification ("Certification") is required to enroll you in Telrite Corporation / Life Wireless' Lifeline service program in your state. This Certification is only for the purpose of verifying your eligibility for Lifeline service and will not be used for any other purpose. Service requests will not be processed until this Form has been received and verified by Company.

One Lifeline service per household disclosures: Lifeline is a government assistance program and willfully making false statements to obtain a Lifeline benefit can result in fines, imprisonment, de-enrollment or being barred from the program. Lifeline benefits are limited to a single line of service per household. A household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses. A household may not receive multiple Lifeline discounts. You may apply your Lifeline discount to either one landline or one wireless number, but you cannot have the discount on both and you cannot receive Lifeline benefits from multiple providers. Note that not all Lifeline services are currently marketed under the name Lifeline. Lifeline is a non-transferable benefit and you may not transfer your benefit to any other person, including another eligible low-income consumer. Violation of the one-per-household limitation constitutes a violation of the Federal Communications Commission's rules and will result in your de-enrollment from the program, and potentially prosecution by the United States Government.

☐ I hereby certify that I have read and understood the disclosures listed above and that, to the best of my knowledge, my household is not already receiving a Lifeline service benefit.

Customer eligibility certification: I hereby certify that I participate in at least one of the following programs (check one):

- | | |
|---|---|
| <input type="checkbox"/> Supplemental Nutrition Assistance Program (SNAP) | <input type="checkbox"/> Income at or below 135% of Federal Poverty Guidelines |
| <input type="checkbox"/> Section 8 Federal Public Housing Assistance (FPHA) | <input type="checkbox"/> Food Distribution Program on Indian Reservations (FDPIR) |
| <input type="checkbox"/> Medicaid (not Medicare) | <input type="checkbox"/> Bureau of Indian Affairs General Assistance (BIA) |
| <input type="checkbox"/> Supplemental Security Income (SSI) | <input type="checkbox"/> Tribally Administered TANF (TATNF) |
| <input type="checkbox"/> Temporary Assistance for Needy Families (TANF) | <input type="checkbox"/> Head Start (meeting income qualifying standards) |
| <input type="checkbox"/> Low Income Home Energy Assistance Program (LIHEAP) | <input type="checkbox"/> Senior Citizen Low Income Discount Offered by Local Gas or Power Company |
| <input type="checkbox"/> National School Lunch Program's free lunch program | |

Tribal eligibility:

☐ I hereby certify that I reside on Federally-recognized Tribal lands.

Customer Application Information:

First Name: _____ Middle Name: _____ Last Name: _____

Date of Birth: Month: ____ Day: ____ Year: ____ Last Four Digits of Social Security Number (or Tribal ID Number): _____

If Qualifying for Lifeline by Income, number of Individuals in Household: _____

Home Telephone Number (if available): _____

Residential Address (P.O. Box NOT sufficient)

Number: _____ Apt: _____ Street: _____ City: _____

State: _____ Zip Code: _____

Address is (choose one): ☐ Permanent ☐ Temporary

Billing Address (if different from Residential Address) (P.O. Box IS sufficient)

Number: _____ Apt: _____ Street: _____ City: _____

State: _____ Zip Code: _____

Multiple households sharing and address:

☐ I hereby certify that I reside at an address occupied by multiple households, including adults who do not contribute income to my household and/or share in my household's expenses, and I will complete a separate additional form.

Activation and usage requirement disclosures: This service is a prepaid service and you must personally activate it by calling 770-200-1000. To keep your account active, *you must use your Lifeline service at least once during any 60 day period by completing an outbound call, purchasing additional minutes from Company, answering an in-bound call from someone other than*

Company, or by responding to a direct contact from Company confirming that you want to continue receiving Lifeline service from Company. If your service goes unused for 60 days, you will no longer be eligible for Lifeline benefits and your service will be suspended (allowing only 911 calls and calls to the Company's customer care center) subject to a 30 day cure period during which you may use the service (as described above) or contact the Company to confirm that you want to continue receiving Lifeline service from Company.

☐ **I hereby certify that I have read and understood the disclosures listed above regarding activation and usage requirements.**

Authorizations:

☐ I hereby authorize the Company to access any records required to verify my statements on this form and to confirm my eligibility for the Lifeline program. I also authorize the Company to release any records required for the administration of the Lifeline program (e.g., name, telephone number and address), including to the Universal Service Administrative Company, to be used in a Lifeline database and to ensure the proper administration of the Lifeline Program. Failure to consent will result in denial of service.

Additional certifications: I hereby certify, under penalty of perjury, that **(check each box):**

- ☐ I meet the income-based or program-based eligibility criteria for receiving Lifeline service and have provided documentation of eligibility if required
- ☐ I will notify the Company within 30 days if for any reason I no longer satisfy the criteria for receiving Lifeline including, as relevant, if I no longer meet the income-based or program-based eligibility criteria, I begin receiving more than one Lifeline benefit, or another member of my household is receiving a Lifeline benefit. I understand that I may be subject to penalties if I fail to follow this requirement
- ☐ I am not listed as a dependent on another person's tax return (unless over the age of 60)
- ☐ The address listed below is my primary residence, not a second home or business
- ☐ If I move to a new address, I will provide that new address to the Company within 30 days
- ☐ If I provided a temporary residential address to the Company, I will verify my temporary residential address every 90 days
- ☐ I acknowledge that providing false or fraudulent information to receive Lifeline benefits is punishable by law
- ☐ I acknowledge that I may be required to re-certify my continued eligibility for Lifeline at any time, and my failure to re-certify as to my continued eligibility within 30 days will result in de-enrollment and the termination of my Lifeline benefits
- ☐ The information contained in this certification form is true and correct to the best of my knowledge

Applicant's Signature: _____ **Date:** _____

For Agent Use Only (check only 1 eligibility category and only 1 box under that category; do not copy or retain documentation):

Documents Acceptable Proof for Income-Eligibility:

- ☐ The prior year's state, federal, or Tribal tax return,
- ☐ Current income statement from an employer or paycheck stub,
- ☐ A Social Security statement of benefits,
- ☐ A Veterans Administration statement of benefits,
- ☐ A retirement/pension statement of benefits,
- ☐ An Unemployment/Workmen's Compensation statement of benefits,
- ☐ Federal or Tribal notice letter of participation in General Assistance, or
- ☐ A divorce decree, child support award, or other official document containing income information for at least three months time.

Documents Acceptable Proof for Program-Eligibility

(choose 1 from each list A and B below)

List A - Choose 1

- ☐ Supplemental Nutrition Assistance Program (SNAP)
- ☐ Medicaid
- ☐ Section 8 Federal Public Housing Assistance (FPHA)
- ☐ Supplemental Security Income (SSI)
- ☐ Temporary Assistance for Needy Families (TANF)
- ☐ Low Income Home Energy Assistance Program (LIHEAP)
- ☐ National School Lunch Program's free lunch program
- ☐ Food Distribution Program on Indian Reservations (FDPIR)
- ☐ Bureau of Indian Affairs General Assistance (BIA)
- ☐ Tribally Administered TANF (TATNF)
- ☐ Head Start (meeting income qualifying standards)
- ☐ Senior Citizen Low Income Discount Offered by Local Gas or Power Company

List B - Choose 1

- ☐ Program Participation card / document
- ☐ Prior year's statement of benefits
- ☐ Notice letter of participation
- ☐ Other official qualifying document: _____

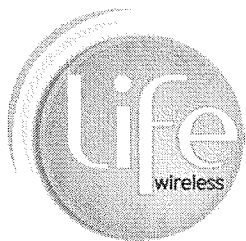
Last 4 digits of Document from List B _____

Date of Proof Document: ____/____/____

Expiration Date of Proof Document: ____/____/____

Applicant Account Number	Rep / Agent Signature

EXHIBIT B



Life Wireless Lifeline Service Application Income Eligibility Worksheet

Individuals in all states are able to enroll in the Lifeline program by demonstrating that their household's annual income is at or below 135% of the Federal Poverty Guidelines. This table should be used to determine whether a Lifeline applicant is eligible for Lifeline service based on the number of individuals in the applicant's household and the applicant's household annual income:

HOUSEHOLD SIZE	INCOME LEVEL
1	\$15,080
2	\$20,426
3	\$25,772
4	\$31,118
5	\$36,464
6	\$41,810
7	\$47,156
8	\$52,502
For each additional person	Add \$5,346

Applicants must list the number of individuals in the applicant's household on the Lifeline application form. Applicants seeking to qualify for Lifeline service based on their household income must present one of the following documents in order to prove eligibility:

- the prior year's state, federal, or Tribal tax return
- current income statement from an employer or paycheck stub
- a Social Security statement of benefits
- a Veterans Administration statement of benefits
- a retirement/pension statement of benefits
- an Unemployment/Workmen's Compensation statement of benefits
- Federal or Tribal notice letter of participation in General Assistance
- a divorce decree, child support award, or other official document containing income information for at least three months time

This is a Lifeline service provided Telrite Corporaton. Lifeline is a government assistance program. Only one Lifeline service is available per household. Households are not permitted to receive multiple Lifeline benefits whether they are from one or multiple companies, wireless or wireline. Proof of eligibility is required for enrollment and only eligible customers may enroll in Lifeline service. Consumers who willingly make false statements to obtain the benefit can be punished by fine or imprisonment or can be barred from the program. Lifeline is a non-transferable benefit. Lifeline customers may not transfer their benefits to any other person.

EXHIBIT C

Welcome!



Life Wireless Customer you will receive FREE Minutes each month on your anniversary date. Unused minutes will roll-over to the next month and never expire as long as your account remains active. Must make at least one call each 60 days to keep your service active.*

Life Wireless Features:

- Nationwide Calling
- Text Messaging
- Caller ID
- Voicemail
- Rollover Minutes
- Affordable Recharge Plans
- Free 911 Service



Life Wireless is a Lifeline supported service, a government assistance program. Only eligible customers may enroll in the program. See if you qualify for a free phone with free monthly service! Service is limited to one discount per household, consisting of either wireline or wireless service. Forms of documentation necessary for enrollment are listed on reverse. Service is non-transferable.

Recharge With Pure Unlimited

If you need more than the allotted free minutes each month, Life Wireless has partnered with Pure Unlimited to offer you recharge cards in the following denominations.

3 Day Unlimited Talk & Text	1 Week Unlimited Talk & Text	2 Week Unlimited Talk & Text	1 Month Unlimited Talk & Text
\$7.95	\$12.95	\$21.49	\$42.95

\$10 and \$25 Recharge Cards Also Available
at 9.9¢ per minute and 5¢ per text.

Pure Unlimited recharge cards are available in many retail establishments or online at

www.lifewireless.com

We Accept

MoneyGram
International Money Transfer



Receive Code: 7924

Things to know:

- ☞ Lifeline benefits are limited to a single line of service per household. You may not receive multiple Lifeline or Link Up discounts. You may apply your Lifeline discount to either one landline or one wireless number, but you cannot have the discount on both.
- ☞ Customers must present Photo ID and Proof of Benefit to obtain service.
- ☞ **To complete the activation process you must power on your phone and place a call to 770-200-1000.**
- ☞ If you have further questions or concerns, Life Wireless Customer Service is ready to help. Agents are available 7 days a week from 8:00 am to Midnight EST at

1-888-543-3620

IMPORTANT: consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.



www.lifewireless.com

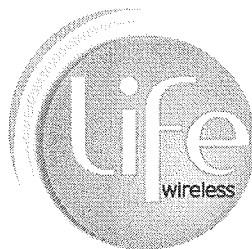
Telrite Corporation is an Eligible Telecommunications Carrier (ETC), doing business as Life Wireless.



*Rollover is contingent upon the minutes program and that not all free minute plans contain rollover minutes

Forms of documentation necessary for enrollment: All subscribers will be required to demonstrate eligibility based at least on (1) Household income at or below 135% of Fed Poverty guidelines for a household of that size; OR (2) the household's participation in one of the federal assistance programs. 1 - current or prior year's statement of benefits from a qualifying state, federal or Tribal program. 2 - a notice letter of participation in a qualifying state, federal or Tribal program. 3 - program participation documents (eg: consumers SNAP card, Medicaid card, or copy thereof). 4 - other official document evidencing the consumer's participation in a qualifying state, federal or Tribal program. Income eligibility: Prior Year's state, federal or Tribal tax return, current income statement from an employer or paycheck. Social Security statement of benefits. Veterans Administration statement of benefits. Retirement/pension statement of benefits. Unemployment / Workmen's comp statement of benefits. Federal or Tribal notice letter of participation in General Assistance. Divorce decree, child support award, or other official document containing income information for at least three (3) months time. Life Wireless will NOT retain a copy of this documentation. \$42.95 Unlimited cards is good for 1 month of Unlimited Talk & Text. \$21.49 Unlimited card is good for 14 days of Unlimited Talk & Text. \$12.95 Unlimited card is good for 7 days of Unlimited Talk & Text. \$7.95 Unlimited card is good for 3 days of Unlimited Talk & Text. Upon expiration of Unlimited Card, you must add a new recharge card of any denomination to continue service. \$10 and \$25 recharge cards available at a rate of 9.9¢ per minute and 5¢ per text. Pure Unlimited recharge cards valid for Pure Unlimited or Life Wireless phones/service only. Rates and fees subject to change.

FREE PHONE



WITH FREE MONTHLY SERVICE!

Life Wireless is a Lifeline supported service, a government assistance program. Only eligible customers may enroll in the program. See if you qualify for a free phone with free monthly service! Service is limited to one discount per household, consisting of either wireline or wireless service. Forms of documentation necessary for enrollment are listed below. Service is non-transferable.

Life Wireless Features:

- ☛ Nationwide Calling
- ☛ Text Messaging
- ☛ Caller ID
- ☛ Voicemail
- ☛ Rollover Minutes
- ☛ Affordable Recharge Plans



IMPORTANT: consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.

Need more minutes? Recharge With Pure Unlimited

As Low As **\$7.95**



1 Week Unlimited Talk & Text	2 Week Unlimited Talk & Text	1 Month Unlimited Talk & Text
\$12.⁹⁵	\$21.⁴⁹	\$42.⁹⁵

\$10 and \$25 Recharge Cards Also Available!

1-888-543-3620



Forms of documentation necessary for enrollment: All subscribers will be required to demonstrate eligibility based at least on (1) Household income at or below 135% of Fed Poverty guidelines for a household of that size; OR (2) the household's participation in one of the federal assistance programs. 1 - current or prior year's statement of benefits from a qualifying state, federal or Tribal program. 2 - a notice letter of participation in a qualifying state, federal or Tribal program. 3 - program participation documents (eg: consumers SNAP card, Medicaid card, or copy thereof). 4 - other official document evidencing the consumer's participation in a qualifying state, federal or Tribal program. Income eligibility: Prior Year's state, federal or Tribal tax return, current income statement from an employer or paycheck. Social Security statement of benefits. Veterans Administration statement of benefits. Retirement/pension statement of benefits. Unemployment / Workmen's comp statement of benefits. Federal or Tribal notice letter of participation in General Assistance. Divorce decree, child support award, or other official document containing income information for at least three (3) months time. Life Wireless will NOT retain a copy of this documentation. \$42.95 Unlimited card is good for 1 month of Unlimited Talk & Text. \$21.49 Unlimited card is good for 14 days of Unlimited Talk & Text. \$12.95 Unlimited card is good for 7 days of Unlimited Talk & Text. \$7.95 Unlimited card is good for 3 days of Unlimited Talk & Text. Upon expiration of Unlimited Card, you must add a new recharge card of any denomination to continue service. \$10 and \$25 recharge cards available at a rate of 9.9¢ per minute and 5¢ per text. Pure Unlimited recharge cards valid for Pure Unlimited or Life Wireless phones/service only. Rates and fees subject to change.

Telrite Corporation is an Eligible Telecommunications Carrier (ETC), doing business as Life Wireless.

FREE CELL PHONE *with FREE Monthly Service*



1-888-543-3620

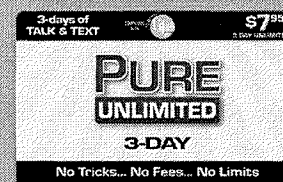
www.LifeWireless.com

Life Wireless is a Lifeline supported service, a government assistance program. Only eligible customers may enroll in the program. See if you qualify for a free phone with free monthly service! Service is limited to one discount per household, consisting of either wireline or wireless service. Forms of documentation necessary for enrollment are listed below. Service is non-transferable.

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Affordable UNLIMITED Recharge Plans



As Low As
\$7.95

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Come to the LIFE WIRELESS booth for more details!



PUBLIC NOTICE

C-39

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 12-2063

Release Date: December 26, 2012

**WIRELINE COMPETITION BUREAU APPROVES THE COMPLIANCE PLANS OF
AIRVOICE WIRELESS, AMERIMEX COMMUNICATIONS, BLUE JAY WIRELESS,
MILLENNIUM 2000, NEXUS COMMUNICATIONS, PLATINUMTEL COMMUNICATIONS,
SAGE TELECOM, TELRITE AND TELScape COMMUNICATIONS**

WC Docket Nos. 09-197 and 11-42

The Wireline Competition Bureau (Bureau) approves the compliance plans of nine carriers: AirVoice Wireless, LLC (AirVoice); AmeriMex Communications Corp. (AmeriMex); Blue Jay Wireless, LLC (Blue Jay); Millennium 2000, Inc. (Millennium 2000); Nexus Communications, Inc. (Nexus); PlatinumTel Communications, LLC (PlatinumTel); Sage Telecom, Inc. (Sage); Telrite Corporation (Telrite); and Telscape Communications, Inc. d/b/a Telscape Wireless (Telscape). The compliance plans were filed pursuant to the *Lifeline Reform Order* as a condition of obtaining forbearance from the facilities requirement of the Communications Act of 1934, as amended (the Act), for the provision of Lifeline service.¹

The Act provides that in order to be designated as an eligible telecommunications carrier (ETC) for the purpose of universal service support, a carrier must “offer the services that are supported by Federal universal service support mechanisms . . . either using its own facilities or a combination of its own facilities and resale of another carrier’s services”² The Commission amended its rules to define voice telephony as the supported service and removed directory assistance and operator services, among other things, from the list of supported services.³ As a result of these amendments, many Lifeline-only ETCs that previously met the facilities requirement by providing operator services, directory assistance or other previously supported services no longer meet the facilities requirement of the Act.⁴ In the *Lifeline Reform Order*, the Commission found that a grant of blanket forbearance of the facilities requirement,

¹ See *Lifeline and Link Up Reform and Modernization et al*, WC Docket No. 11-42 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656, 6816-17, paras. 379-380 (2012) (*Lifeline Reform Order*). A list of the compliance plans approved through this Public Notice can be found in the Appendix to this Public Notice.

² 47 U.S.C. § 214(e)(1)(A).

³ See *Lifeline Reform Order*, 27 FCC Rcd at 6678, para. 47; see also 47 C.F.R. § 54.101(a).

⁴ See *Lifeline Reform Order*, 27 FCC Rcd at 6812, para. 366, App. A; *Connect America Fund et al*, WC Docket 10-90, Order on Reconsideration, 26 FCC Rcd 17633, 17634-35, para. 4 (2011) (*USF/ICC Transformation Order on Reconsideration*). Some ETCs have included language in their compliance plans indicating that they have facilities or plan to acquire facilities in the future. See, e.g., Blanket Forbearance Compliance Plan, WC Docket Nos. 09-197 and 11-42, Q Link Wireless, LLC’s Third Amended Compliance Plan at 4 n. 2 (filed July 30, 2012). To the extent ETCs seek to avail themselves of the conditional forbearance relief established in the *Lifeline Reform Order*, we presume they lack facilities to provide the supported service under sections 54.101 and 54.401 of the Commission’s rules. See 47 C.F.R. §§ 54.101 and 54.401. Such ETCs must comply with the compliance plan approved herein in each state or territory where they are designated as an ETC, regardless of their claim of facilities for other purposes, such as eligibility for state universal service funding.

subject to certain public safety and compliance obligations, is appropriate for carriers seeking to provide Lifeline-only service.⁵ Therefore, in the *Lifeline Reform Order*, the Commission conditionally granted forbearance from the Act's facilities requirement to all telecommunications carriers seeking Lifeline-only ETC designation, subject to the following conditions: (1) compliance with certain 911 and enhanced 911 public safety requirements; and (2) Bureau approval of a compliance plan providing specific information regarding the carrier and its service offerings and outlining the measures the carrier will take to implement the obligations contained in the *Order*.⁶

The Bureau has reviewed the nine plans listed in the Appendix for compliance with the conditions of the *Lifeline Reform Order* and now approves those nine compliance plans.⁷

Filings, including the Compliance Plans identified in the Appendix, and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 448-5563, or via email www.bcpweb.com.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-7400 or TTY (202) 418-0484.

For further information, please contact Michelle Schaefer, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

- FCC -

⁵ See *Lifeline Reform Order*, 27 FCC Rcd at 6813-6817, paras. 368-381.

⁶ See *id.*, 27 FCC Rcd at 6814, 6819, paras. 373, 389. Subsequently, the Bureau provided guidance for carriers submitting compliance plans pursuant to the *Lifeline Reform Order*. *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, WC Docket Nos. 09-197 and 11-42, Public Notice, 27 FCC Rcd 2186 (Wireline Comp. Bur. 2012).

⁷ The Commission has not acted on any pending ETC petitions filed by these carriers, and this Public Notice only approves the compliance plans of the carriers listed above. While these compliance plans contain information on each carrier's Lifeline offering, we leave it to the designating authority to determine whether or not the carrier's Lifeline offerings are sufficient to serve consumers. See *Lifeline Reform Order*, 27 FCC Rcd at 6679-80, 6818-19, paras. 50, 387.

APPENDIX

Petitioner	Compliance Plans As Captioned by Petitioner	Date of Filing	Docket Numbers
AirVoice Wireless, LLC	AirVoice Wireless, LLC's Amended Compliance Plan	December 7, 2012	09-197; 11-42
AmeriMex Communications Corp.	AmeriMex Communications Corp. Revised Compliance Plan	December 6, 2012	09-197; 11-42
Blue Jay Wireless, LLC	Blue Jay Wireless, LLC Compliance Plan	December 19, 2012	09-197; 11-42
Millennium 2000 Inc.	Amended Compliance Plan of Millennium 2000 Inc.	December 18, 2012	09-197; 11-42
Nexus Communications, Inc.	Third Amended Compliance Plan of Nexus Communications, Inc.	December 6, 2012	09-197; 11-42
PlatinumTel Communications, LLC	PlatinumTel Communications LLC's Revised Compliance Plan	December 19, 2012	09-197; 11-42
Sage Telecom, Inc.	Revised Compliance Plan of Sage Telecom, Inc.	December 19, 2012	09-197; 11-42
Telrite Corporation	Telrite Corporation Compliance Plan	December 19, 2012	09-197; 11-42
Telscape Communications Inc. d/b/a Telscape Wireless	Revised Compliance Plan of Telscape Communications, Inc.	December 19, 2012	09-197; 11-42

Proposed Massachusetts Lifeline Service Offering

Proposed Lifeline Service Offering for Massachusetts Customers

Monthly:

- 1000 voice minutes
- Unlimited texts and multimedia messaging service
- 3 GB of data
- Smartphone
- Custom calling features: Caller ID, Call Waiting, Call Forwarding, 3-Way Calling; and Voicemail.
- **Free to eligible consumers**

Lifeline subscribers can add to this basic plan on a one-time basis in any month they choose and as often as they wish by selecting additional service(s). Current selections include:

Talk: 60 additional minutes of talk for \$5.00
130 additional minutes of talk for \$10.00
one day of unlimited minutes for \$4.95
three days of unlimited minutes for \$7.95
one week of unlimited minutes for \$12.95
two weeks of unlimited minutes \$19.95
one month of unlimited minutes \$29.95

Data: 500 MB Data PIN for \$9.95

These additional services can be purchased on the www.lifewireless.com website, from Life Wireless Customer Service or at any MoneyGram location.

Sample Lifeline Advertising



REPRESENTATIVES WILL BE AT:

<Editable Area>

<Editable Area>

To qualify bring photo ID and one proof of benefits (EBT, SSI, TANF, Section 8, Medicaid, LIHEAP, Free School Lunch)

FREE CELL PHONE

with FREE MONTHLY SERVICE

Many Calling Plans Available (plans vary by State)

- Voicemail
- Text Messaging
- Call Waiting
- Three-way calling
- Call Forwarding
- Caller ID service
- No roaming charge
- No charge for domestic long distance calls
- Nationwide Calling
- Rollover Minutes
- Affordable Recharge Plans

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1-888-543-3620 • LifeWireless.com

LW-STD221-03.16

Forms of documentation necessary for enrollment: All subscribers will be required to demonstrate eligibility based at least on (1) Household income at or below 135% of Fed Poverty guidelines for a household of that size; OR (2) the household's participation in one of the federal assistance programs. 1 - current or prior year's statement of benefits from a qualifying state, federal or Tribal program. 2 - a notice letter of participation in a qualifying state, federal or Tribal program. 3 - program participation documents (eg: consumers SNAP card, Medicaid card, or copy thereof). 4 - other official document evidencing the consumer's participation in a qualifying state, federal or Tribal program. Income eligibility: Prior Year's state, federal or Tribal tax return, current income statement from an employer or paycheck. Social Security statement of benefits. Veterans Administration statement of benefits. Retirement/pension statement of benefits. Unemployment / Workmen's comp statement of benefits. Federal or Tribal notice letter of participation in General Assistance. Divorce decree, child support award, or other official document containing income information for at least three (3) months time. Life Wireless will NOT retain a copy of this documentation.



REPRESENTATIVES WILL BE AT:

<Editable Area>

<Editable Area>

To qualify bring photo ID and one proof of benefits (EBT, SSI, TANF, Section 8, Medicaid, LIHEAP, Free School Lunch)

FREE CELL PHONE

with FREE MONTHLY SERVICE

Many Calling Plans Available (plans vary by State)

- Voicemail
- Text Messaging
- Call Waiting
- Three-way calling
- Call Forwarding
- Caller ID service
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LW-STD221-03.16

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Proposed Service Area (List of Current Zip Codes)

Proposed Service Area (List of Current Zip Codes)**Exhibit F**

01001	01035	01075	01106	01226
01002	01036	01077	01107	01227
01003	01037	01079	01108	01229
01004	01038	01080	01109	01230
01005	01039	01081	01111	01235
01007	01040	01082	01115	01236
01008	01041	01083	01116	01237
01009	01050	01084	01118	01238
01010	01053	01085	01119	01240
01011	01054	01086	01128	01242
01012	01056	01088	01129	01243
01013	01057	01089	01138	01244
01014	01059	01090	01139	01245
01020	01060	01092	01144	01247
01021	01061	01093	01151	01252
01022	01062	01094	01152	01253
01026	01063	01095	01199	01254
01027	01066	01096	01201	01255
01028	01068	01097	01202	01256
01029	01069	01098	01203	01257
01030	01070	01101	01220	01258
01031	01071	01102	01222	01259
01032	01072	01103	01223	01260
01033	01073	01104	01224	01262
01034	01074	01105	01225	01263

Proposed Service Area (List of Current Zip Codes)**Exhibit F**

01264	01366	01463	01519	01561
01266	01367	01464	01520	01562
01267	01368	01467	01521	01564
01270	01370	01468	01522	01566
01301	01373	01469	01523	01568
01302	01375	01470	01524	01569
01330	01376	01471	01525	01570
01331	01378	01472	01526	01571
01337	01379	01473	01527	01580
01338	01380	01474	01529	01581
01339	01420	01475	01531	01582
01340	01430	01477	01532	01583
01341	01431	01501	01534	01585
01342	01432	01503	01535	01586
01343	01434	01504	01536	01588
01344	01436	01505	01537	01590
01346	01438	01506	01538	01601
01347	01440	01507	01540	01602
01349	01441	01508	01541	01603
01350	01450	01509	01542	01604
01351	01451	01510	01543	01605
01354	01452	01515	01545	01606
01355	01453	01516	01546	01607
01360	01460	01517	01550	01608
01364	01462	01518	01560	01609

Proposed Service Area (List of Current Zip Codes)**Exhibit F**

01610	01747	01824	01866	01923
01611	01748	01826	01867	01929
01612	01749	01827	01876	01930
01613	01752	01830	01879	01931
01614	01754	01831	01880	01936
01615	01756	01832	01885	01937
01653	01757	01833	01886	01938
01654	01760	01834	01887	01940
01655	01770	01835	01888	01944
01701	01772	01840	01889	01945
01702	01773	01841	01890	01949
01703	01775	01842	01899	01950
01704	01776	01843	01901	01951
01705	01778	01844	01902	01952
01718	01784	01845	01903	01960
01719	01801	01850	01904	01961
01720	01803	01851	01905	01965
01721	01805	01852	01906	01966
01730	01807	01853	01907	01969
01731	01810	01854	01908	01970
01740	01812	01860	01910	01971
01741	01813	01862	01913	01982
01742	01815	01863	01915	01983
01745	01821	01864	01921	01984
01746	01822	01865	01922	01985

Proposed Service Area (List of Current Zip Codes)**Exhibit F**

02018	02059	02120	02145	02201
02019	02060	02121	02148	02203
02020	02061	02122	02149	02204
02021	02062	02123	02150	02205
02025	02065	02124	02151	02206
02026	02066	02125	02152	02210
02027	02067	02126	02153	02211
02030	02070	02127	02155	02212
02032	02071	02128	02156	02215
02035	02072	02129	02163	02217
02038	02081	02130	02169	02222
02040	02090	02131	02170	02228
02041	02093	02132	02171	02238
02043	02108	02133	02176	02241
02044	02109	02134	02180	02266
02045	02110	02135	02184	02269
02047	02111	02136	02185	02283
02048	02112	02137	02186	02284
02050	02113	02138	02187	02293
02051	02114	02139	02188	02295
02052	02115	02140	02189	02297
02053	02116	02141	02190	02298
02054	02117	02142	02191	02301
02055	02118	02143	02196	02302
02056	02119	02144	02199	02303

Proposed Service Area (List of Current Zip Codes)**Exhibit F**

02304	02355	02454	02493	02565
02305	02356	02455	02494	02568
02322	02357	02456	02495	02571
02324	02358	02457	02532	02573
02325	02359	02458	02534	02574
02327	02360	02459	02535	02575
02330	02361	02460	02536	02576
02331	02362	02461	02537	02584
02332	02364	02462	02538	02601
02333	02366	02464	02539	02630
02334	02367	02465	02540	02631
02337	02368	02466	02541	02632
02338	02370	02467	02542	02633
02339	02375	02468	02543	02634
02340	02379	02471	02552	02635
02341	02381	02472	02553	02637
02343	02382	02474	02554	02638
02344	02420	02475	02556	02639
02345	02421	02476	02557	02641
02346	02445	02477	02558	02642
02347	02446	02478	02559	02643
02348	02447	02479	02561	02644
02349	02451	02481	02562	02645
02350	02452	02482	02563	02646
02351	02453	02492	02564	02647

Proposed Service Area (List of Current Zip Codes)**Exhibit F**

02648	02712	02760
02649	02713	02761
02650	02714	02762
02651	02715	02763
02652	02717	02764
02653	02718	02766
02655	02719	02767
02657	02720	02768
02659	02721	02769
02660	02722	02770
02661	02723	02771
02662	02724	02777
02663	02725	02779
02664	02726	02780
02666	02738	02783
02667	02739	02790
02668	02740	02791
02669	02741	05501
02670	02742	05544
02671	02743	
02672	02744	
02673	02745	
02675	02746	
02702	02747	
02703	02748	

Officers and Key Management

Management Experience

All aspects of Telrite's Lifeline operations are directed by a seasoned management team, led by the following individuals:

R.P. McFarland, CEO

- Formed Stratacom Telecommunications in 2001; merged with Telrite Corporation in 2005
- Served as Vice President and President of Network Operations of LecStar until 2001
- Founded IntraLec Telecommunications in 1999; merged with LecStar Corporation in 2000
- Served as Senior Vice President, Network Operations with ILD until 1999
- Founded Interlink Communications; merged with ILD Corporation in 1997
- Over 10 years with AT&T in various management positions
- United States Military Veteran

Jim Carpenter, President

- President, Life Wireless
- Over 10 years' experience with Telrite

Brian Rathman, Vice President of Network Operations

- Director of Operations, Telrite Corporation
- Director of Network Operations, Lectstar Communications
- Network Engineer, LecStar Communications
- Graduate of the Masters Program of the School of Electrical and Computer Engineering at the Georgia Institute of Technology (2002)

Kelly Jesel, CFO

- Controller, Telrite Corporation
- Accounting Assistant, ILD Corporation
- Senior Accountant, Ernst and Young
- Graduate of the Masters of Accountancy Program at the University of Georgia (2001)